# Submission

# Draft NZ OGP National Action Plan 2018-2020

**Andrew Ecclestone**

**17 October 2018**

# Draft New Zealand Open Government Partnership National Action Plan 2018-2020

## About the submitter

Andrew Ecclestone is a former Senior Investigator Official Information Practice Investigations in the Office of the Ombudsman. He has also worked for the State Services Commission, and the UK Department for Constitutional Affairs.

## Introduction

1.  This submission focuses on only three of the draft commitments: 5, 7 and 12. Together though they go to the heart of public participation in the shaping of, and accountability for, better quality services for the public.

## Commitment 7: Official Information

2.  It is revealing that the draft NAP places the commitment relating to the OIA in the section on 'transparency and accountability' and not in the preceding section on 'public participation to develop policy and services'. This continues a longstanding problem with successive governments paying more attention to the second aspect of the OIA's purposes, rather than the first one, which says that the purpose of the legislation is

    > *to increase progressively the availability of official information to the people of New Zealand in order to enable their more effective participation in the making and administration of laws and policies*[1]

3.  This is highly relevant in an OGP context, since the OGP is fundamentally about increasing and improving public participation in policy development and service design. When joining the OGP in October 2014, New Zealand endorsed the *Open Government Declaration*, which articulates these values at greater length:[2]

    > *We value public participation of all people, equally and without discrimination, in decision making and policy formulation. Public engagement, including the full participation of women, increases the effectiveness of governments, which benefit from people's knowledge, ideas and ability to provide oversight. We commit to making policy formulation and decision making more transparent, creating and using channels to solicit public feedback, and deepening public participation in developing, monitoring and evaluating government activities. We commit to protecting the*

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[1]  Official Information Act, section 4(a)(i).

[2]  *Open Government Declaration*, Open Government Partnership, September 2011.
   https://www.opengovpartnership.org/open-government-declaration

> *ability of not-for-profit and civil society organizations to operate in ways consistent with our commitment to freedom of expression, association, and opinion. We commit to creating mechanisms to enable greater collaboration between governments and civil society organizations and businesses.*

4.  The draft commitment to '*Test the merits of undertaking a review'* of the OIA, places the process entirely in the hands of officials and Ministers, and therefore does not live up to the spirit of the OGP's requirements and New Zealand's commitment to them. Judging from the commentary around the OIA emerging from Ministers,[3] this *'testing the merits'* is likely to take the form of asking people who have been selected by the government to talk to. This is entirely the wrong approach, as the 'regular and frequent' users of the OIA mentioned by the Minister of Justice are not in the majority of the complainants to the Ombudsman about OIA decisions.[4] The OIA does not belong to these regular and frequent users, it belongs to all of us, so the government should ask all of us what we think about it.

5.  It might have been understandable if the government's timetable for taking action was short, with the intention to make a decision by the end of 2018 so as to get draft legislation consulted upon and then introduced to the House in 2019. But the draft commitment states that the intention is to make this decision by the end of June 2019. There is ample time therefore for the government to conduct more fully fledged listening exercise to inform the advice provided to Ministers by the intended end date.

6.  The commitment should be amended, so that there is a fully open public consultation designed to identify the aspects of the OIA that are of concern to different requesters. This could build on, and be structured around, the messages about the OIA recorded at the NAP development workshops, but does not have to. As an exercise in listening to the public, the framing of the

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3  *OIA Review Back On The Table*, Sam Sachdeva, *Newsroom*, 19/9/2018. Accessed from: https://www.newsroom.co.nz/2018/09/18/242441/oia-review-back-on-table-for-govt

4  *Ombudsman releases latest OIA data*, Office of the Ombudsman, 5/9/2018. Accessed from: http://www.ombudsman.parliament.nz/ckeditor_assets/attachments/666/Media_release_OIA_Data_release_5_Sept_2018_PDF.pdf

issues should be loose, not tight. It should explicitly invite comment on how the OIA links to other relevant legislation such as the Public Records Act, provisions in other statutes which bar disclosure (see section 18(c)(i) of the OIA), the Ombudsmen Act 1975 and the Privacy Act 1993 (soon to be replaced): the point is to situate the OIA in a landscape of governance and integrity mechanisms, not isolate it or reduce to a subset of issues such as 'how should agencies have qualified privilege for information they proactively release?'

7.   I recommend that the commitment wording be amended to read:

> *Consult the public on which aspects of the Official Information Act 1982 they believe need amending, and publish both the submissions received and the analysis of those submissions prior to submitting advice to Government.*

## Commitment 12: Open Procurement

8.   This draft commitment completely ignores the work taking place internationally on open procurement, making no mention of the Open Contracting Partnership and its existing open standard for publication of information about contracts awarded by government.[5]

9.   The commitment should be amended to explicitly refer to reviewing and taking into consideration the Open Contracting Partnership standards. The first part of the draft commitment should also explicitly refer to a public consultation exercise, not merely 'design with the public', which could easily be interpreted to mean 'consult with our selected stakeholders'. If the Government means 'consult with the public' it should say so in the commitment.

## Commitment 5: Public Participation in Policy Development

10.  It is ironic that the Government sees fit to have 'standards' on Digital Service Design (Commitment 6), but in Commitment 5 has again shied away from

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[5] https://www.open-contracting.org/implement/global-principles/

committing itself to development of an all-of-government standard on public participation, with concrete issues such as minimum consultation periods, publication of responses and analyses of responses.

11.  Draft commitment 5 as it stands may assist policy makers, but it does nothing to embed standards of public participation in government policy making and service design. Given the participative purposes of the OIA (referred to in paragraph 2 above) have been in place for 36 years, it is long past time that the work on public participation results in delivery of a concrete set of standards relating to public consultation (and other types of public participation) against which Governments and agencies can be held to account. The UK had central government standards for public consultation in the 1990s, and it is frankly embarrassing that New Zealand has not yet caught up on this.


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To whom it may concern,

I am fully behind the overarching plan's priorities of Participation in Democracy, Public Participation to develop policy and services and Transparency and accountability.

As someone who has worked in this area within the UK as well as in New Zealand, I thought some of my experience might help provide some insights into what has worked well and what might enhance the current proposal.

I was a part of the Local eDemocracy National Project, a programme of work that was intended to drive participation in local elections by supporting and encouraging participation in local democracy in between elections.

I was responsible for leading two aspects of that programme: e-petitions and e-panels and was a member of the team who carried out the overall programme evaluation.

I was also involved in European Parliament funded programmes of e-participation which considered how to engage the community into European led legislative programmes of work.

Since then, I have worked to implement new approaches to public participation within New Zealand at a local government and district health board. It feels as if many of the issues facing New Zealand now were explored during my time in the UK 10+ years ago. My feedback relates directly to my experience.

**Commitments 1 & 2**
Parliament TV is a good start but people don't generally just want to watch parliament. They want to watch a particular issue being debated eg climate change. The TV needs to be managed in a way that allows people to navigate right to the issue they wish to see and to be able to dip in and out of the conversation – eg being able to just focus on specific points in the debate or particular speakers. The provider I worked most closely with in the UK that allowed this to happen at a local government level was https://www.public-i.tv/ . In addition, my experience of partnering with the media allowed greater dissemination and visibility of those key issues – allowing them access right to the point in the agenda they were reporting on was essential.

The evaluation from the Local eDemocracy National Project identified that children and young people enjoy participating but this needs to form part of the school curriculum and to be embedded into school programmes of work rather than being an add on. Democracy games were a good way of helping to make it fun and engaging for young people. Local Democracy Week was a nationally facilitated programme of work which helped to support and encourage councils to participate. As part of this, I facilitated an activity called I'm a councillor, get me out of here which brought together 5-6 councillors with school children and involved online dialogue, live chat and was followed by evictions. Hansard Society developed a democracy cookbook which was full of good ideas of activities for children to participate in and I used these as a way of warming up the children before I'm a councillor started. The results from the dialogue were used to inform youth services and activities and the winning councillor was named youth champion to help ensure the feedback was progressed through council.

Children and young people also may like the opportunity to participate virtually in parliament – having a Q&A session through live TV so that they are able to engage with members of parliament without having

to travel would open up Parliament much more than three events per year and a virtual tour. Any face to face events should include support for schools from less privileged areas to participate.

I facilitated participation in a select committee process that allowed us to be able to ask questions from the community at key points in the committee deliberations and then invite them to watch or attend the committee meetings to see the issues being discussed – perhaps this model could be used within the youth parliament select committee process.

Developing guidance about the petitions process is useful and there is a lot of material available from the UK and overseas that would be of relevance. However, a process at a governance level that would support this would also be of benefit. The Scottish Parliament's set up was a good example – a public petitions committee used to receive petitions, evaluate solutions and monitor their process until conclusion. A publicly accessible e-petitions site that registers all petitions received, encourages and supports people who wish to champion change and tracks where they are in the process would provide transparency and help to educate.

**Commitment 5**
While improving the toolbox is important and it's great that you are keen to use the IAP2 framework, democracy and public participation need careful communication so that the right questions are asked and so that the issue is framed well.

Communication is often done in a way that is either too formal and stuffy, they are too light in terms of detail or they try to sway people in a particular direction. This is incredibly difficult to get right and needs the right expertise and to allow people to participate at a level that suits their circumstance.

Essential to this is the commitment to provide feedback throughout the process so that people know how their views have been reflected on during the decision making or implementation process. Even when decisions take some time (years), it is important to ensure that people are kept informed and educated about the process.

It is disappointing to see that public participation is at the end of the current policy method toolbox guide – efforts to include more co-design and start with engagement at the start of the process and not just at the end would be particularly beneficial. A way of incorporating citizen led approaches too would be beneficial – potentially linking in with the petitions process and helping to show that the community can make a difference and deliver change.

Carol Hayward
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- Ambassador for the International Association of Public Participation (former board member)
- Former Corporate Consultation Manager within the Bristol City Council team for e-participation funding
- Former project manager within the Bristol City Council team for the Local eDemocracy National Project
- Author of a range of e-participation books and papers including an E-petitions Guide, Issues Forum guidebook, E-participation handbook and an E-democracy White Paper for New Zealand

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# Open government action plan 2018-20

## Feedback to the draft plan

**From Jan Rivers in a personal capacity**

Thank you for making the opportunity available to comment on the draft Open Government Partnership Action Plan

I apologise for not responding more fully to the draft action plan or in better time. It has been very enjoyable to have been part of the process this year and to observe the impacts of a project which now has dedicated staff and some buy-in within the government to push things along. The extent and ambition of the 12 commitments, as well as the process to achieve them, seem to be much more aligned with the overall intent of the Open Government Partnership's objectives than the previous two iterations. This is laudable. It is a shame that as yet no civil society group has emerged to be the partner non-government agency in developing the plan and I would hope that the OGP staff at SSC and the expert advisory group might give some thought to how such a grouping could be nurtured from the existing interested parties and NGO's with purposes that are aligned such as Hui-E!, ECO and TINZ/

As the draft plan mentions it has been great to see that there are open government initiatives that go beyond what is contained in the plan. Specifically I have been aware of the proposal to release cabinet papers, improve funding for public interest media, the State Sector Act reform and the work on beneficial ownership of foreign trusts. These will all be initiatives that improve NZ for the better despite not being part of the Open Government Partnership Action Plan.

**Commitments 1-3 Participation in democracy**

Giving a higher profile to New Zealander's understanding of Parliament and including youth engagement in citizenship is a praiseworthy initiative and there are a lot of specific actions. One easy initiative that is missing is something that LGNZ does for the schools sector each election year. A toolkit is made available to schools to follow, monitor and carry out a shadow vote by school classes at election time. I'm a little worried about making Parliament (and public services more generally) accessible via FaceBook and other social media over which the government has little control. The algorithm's delivering content to users are still too much of a black box to be certain that they are not being manipulated either by third parties or in the worst case by government departments themselves using FaceBook membership as a source of data.

**Commitment 4 Making New Zealand's Secondary Legislation readily accessible.**

The work by the Parliamentary Counsel office is a worthy project for being part of the action plan for a second time. It is a huge and ambitious project with many positive outcomes. I tried to follow a story about an unusual immigration and without the immigration department rules covering this (related to business migration) the legislation alone is next to useless in understanding what can happen and why.

I still do harbour what is regarded by some as a tin-hat perspective believing that despite the many good reasons for improving access to legislation that the project's ultimate driver has been because it is a requirement of the CPTPA (formerly TPPA trade agreement.) The National Interest Analysis for the agreement made clear that access to secondary legislation, as well as transparency and early warning of planned legislation and regulation is part of the work towards reducing behind the

border compliance costs for overseas investors. I am sure that the benefits from this initiative that local people and businesses can make compliance easier and reduce costs and improve understanding. Transparency of regulation as well as legislation and seeing the interrelations between them  is ultimately a desirable public good.

**Commitment Five Public Participation in Policy Development**

The public policy engagement initiative is a good start and the reference to IAP2 as the gold standard is the right approach.  The assessment is correct that in the public's mind little consultation goes beyond the inform / consult stage. This I believe is not the case as various consultation currently underway will show such as the schools hui and this OGP Action Plan process has helped to demonstrate.  On the other hand I have felt that across government there is a huge disparity between government perspectives and those of the public on issue after issue which is one of the main reasons that there is low trust and low engagement.  I await with interest a decision about a specific instance of consultation going beyond inform / consult stage and hope it is able to be an exemplar.

I would have liked to have seen the idea of a professional body of participation specialists mooted in the plans as a cross government initiative supporting the proliferation of shared good practice as part of this action.  There are numerous ideas about how this could be done and I would rather see the expertise spread across agencies than having 1 specialist unit carry out consultation on behalf of government.

There are many low cost ways that the government could improve access to upcoming consultation. The relevant part of [www.govt.nz](www.govt.nz) has a participation area but agencies and other parts of government are not mandated to use it when carrying out consultation. Another super low cost option would be to mandate the announcement of consultation on websites using a specific tag   Say NZGOVconsult  - allowing people to search across the .govt webspace for the tag. The lack of this over many years is a big hindrance (an anchor chain really)  to an effective public domain as each of the peak organisations of the civil society sector have to spend an inordinate amount of time finding and tracking government initiatives for their members on issues which should be transparent to everyone.

The idea of a meaningful consultation does not have to be terrifying to government. And it is important that the people's voice, rather than the voice of corporations is paramount, in the development of public policy.  There are numerous approaches and opportunities to trial citizen's juries, participatory budgeting or AI approaches to developing ideas such as using tools like pol.is which has been trialled by Scoop Media in NZ. On a related issue I have been reading [Pat Webster's PhD](#) about the numerous ways in which government prior to the 1990's gathered information for the public good.  The loss of civil society groups who are funded specifically to be the voice of the public could be considered once again. Organisations like the Council for International Development. Historic Places Trust branches, Plunkett, Relationship Services, the Problem Gambling Foundation and others served to identify solutions and advocate for good policy having canvassed members and used to provide a useful low cost source of good policy and a useful sounding board. Webster argues that Plunkett's experience was the source of much policy about childrens' health and wellbeing throughout the 20 Century. The move to a contract only model is a great loss both for government and the voluntary sector.

Finally the wording of para 56 is somewhat government centric

*The drive for improved public participation is part of a wider change in public management in which the traditional role of the citizen has already moved from "voter" to "customer", and is now moving from "customer" to "co-creator". Under this view, policy and services are designed with, rather than for, people, respecting their knowledge and beliefs, and their active role in their own lives and those of other New Zealanders.*

I'd be tempted to present this issue as follows:

*Both government officials and civil society participants recognise the historically poor use of the public voice in policy making and service design. Open ended consultation with Citizens as consumers of services and shapers of policy and legislation are a key part of ensuring outcomes that are widely acceptable, stable and enduring.*

**Commitment 7 Official Information**

I am keen on the idea of the review of official information legislation.  I am no expert here. But although there have been calls for the review of the OIA I am of the view that the lack of a government centre of expertise in OIA servicing is what is most important.  This could take the form of a specialised unit in the State Services Commission, Ombudsman's Office or Department of Internal Affairs which acts as a centre of good practice and provide training across government and local government for the Official Information Act specialists across government and which can act as a carrot to good practice and a stick to poor practice. An annual plan for such a body could help to bring each agency up to speed with good practice.  For example one initiative could be by outlining, training and implementing good practice for pro-active release of OIA requests. This could perhaps a few days after release to journalists where this enables a story to be told when a journalist has material that needs to be analysed and digested to tell a story.

**Commitment 8 Government use of algorithms**

The best thing about the draft plan is being able to see one's ideas reflected and enhanced and made real by the process of being diffracted through others thinking and the policy process which has made an idea into tangible, actionable policy.  For me this experience relates most closely to the Commitment 8 Review of Government Use of Algorithms. A good result here could substantially help to rebuild trust in government and the ongoing commitment to take this commitment into the next planning period updated based on progress is a good initiative. Hopefully the next step will be some kind of ongoing appraisal mechanism where a civil society group, associated perhaps with the Privacy Commissioner can be part of the ongoing assessment of new uses of algorithms.

 NZ should use technology to make quality decisions when we can be sure that the technology does not red-line people in or out of services based on criteria that may be discriminatory or wrong. On the other hand it would seem at first glance that some of the work around risk and health could be really useful for selecting people at risk of adverse health outcomes

**Commitment 11: Authoritative dataset of government organisations as open data for greater transparency**

This commitment is owned by the Department of Internal Affairs (DIA).  It could easily be made more ambitious.  Archives NZ, part of DIA already has a full dataset of government agencies as part of the information it has to describe archival material. It also contains metadata on previous agencies and the movement of functions between agencies over time.  Not using this data to support the project would create a duplicate dataset and prevent if from ever being able to track agency changes over time.

Thank you

Jan Rivers

17-10-2018

Feedback on OGP NZ DRAFT National Action Plan 2018-2020

I am a software developer and open data advocate. I was a civil society representative at Christchurch stakeholder engagement workshops for NAP 2016-2018, and NAP 2018-2020 and synthesis workshop in Wellington for NAP 2018-2020.

It's good to see the increased number of commitments (12 in 3rd action plan, vs 7 in 2nd action plan (2016-2018).

Furthermore, the opportunity for civil society feedback on the Draft NAP is a significant improvement for transparency and engagement compared to last period.

Commitment 1: Engagement with Parliament

I would like to see a further milestone regarding increasing publication of parliamentary information in structured formats. While parliament.nz offers an attractive browsing interface it doesn't offer structured, machine-readable data that can be used in downstream applications.

Parliament only offers three open datasets: a list of MPs and info on MP and CE expenses.
https://catalogue.data.govt.nz/organization/parliamentary-service
Compare this to the 35 datasets published at http://www.data.parliament.uk/dataset

parliament.nz should offer more structured data, e.g. Sitting Programme Calendar should be in iCal or similar event format, instead of unstructured PDF https://www.parliament.nz/en/pb/order-paper-questions/house-sitting-programme/

Similarly, order papers are published as unstructured PDF text
https://www.parliament.nz/en/pb/order-paper-questions/order-paper/document/OrderPaper_20181017/final-order-paper-for-wednesday-17-october-2018
when they should be published as structured data specifically identifying dates, MPs, topics, bills etc.

Ditto for Select committees
https://www.parliament.nz/en/pb/order-paper-questions/order-paper/document/OrderPaper_20181017/final-order-paper-for-wednesday-17-october-2018

Furthermore, Hansard debates should be published in a structured format like Akoma Ntoso.
http://docs.oasis-open.org/legaldocml/akn-core/v1.0/cos01/part1-vocabulary/akn-core-v1.0-cos01-part1-vocabulary.html#_Toc514059280
e.g. https://www.parliament.nz/en/pb/hansard-debates/rhr/combined/HansD_20181017_20181017 is browsable but has been stripped of structured data indentifying the speaker, party affiliation, dates, etc. This creates unnecessary barriers to analysis, visualisation, re-use, etc.

See also https://www.opengovpartnership.nz/what-is-an-open-government-partnership-action/open-structured-data-standards-for-parliament-nz-info

para 56, p19: It's good to see movement away from the disempowering use of "customer" to terms supporting more substantial engagement.

para 62, p21: Development of an assessment model can not by itself "ensure" agency up-take. The assessment model will need to be promoted, and obligations to use the model need to be in place.

Commitment 10: Monitoring the effectiveness of public body information management practices.

Efforts to move online and support government transparency are undermined by the poor record of

Government needs to treat data as infrastructure, especially previously public data such as URIs.

The first milestone in commitment 10 should specifically address the incidence of "link-rot" or HTTP 404 Page not found errors on government websites. So much government material is published online, but page not found errors are rife; it seems every time an agency changes content management system they allow all the page URIs to break, instead of providing HTTP redirects. Citizens often have to resort to archive.org to find missing content.

Refer https://www.opengovpartnership.nz/feedback-on-the-draft-of-new-zealands-national-action-plan-2018-20/increased-power-and-proactive-compliance-with-public-records-act

Commitment 11: Authoritative dataset of government organisations as open data for greater transparency.

I endorse this commitment and I would like to see it extended to cover a definitive and regularly updated listing of government domains. See for example, my data request from 26 August 2011 https://www.data.govt.nz/datasetrequest/show/47 and the resulting dataset https://catalogue.data.govt.nz/dataset/new-zealand-public-sector-websites that while important and welcome has had a sporadic update history and is only maintained on a "best effort" basis.

Commitment 12: Open Procurement

I endorse this commitment and suggest the commitment be expanded to include wider government spending, not just GETS contracts. NZ's ranking on the Open Data Barometer is detrimentally affected by the lack of transparency of budget expenditure. See https://opendatabarometer.org/country-detail/?_year=2017&indicator=ODB&detail=NZL column re "Detailed data on government spend".

Also, https://www.opengovpartnership.nz/what-is-an-open-government-partnership-action/reform-official-information-laws-and-refocus-the-open-data-and-information-programme-to-publish-social-environmental-and-budget-expenditure-data

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**2018 Draft Open Government Action Plan**
Comments by Kay Jones of Wellington


**General Comment**

This draft Action Plan is generally sensible and would make positive gains for a more Open Government.  The Commitments reflect discussions at consultation meetings I attended.  In some areas, the Commitments do not go far enough and lack specific actions to implement them.  My comments below add to the Plan and include references to obvious gaps, such as a lack of accessibility in the consultation documents and some of the references, and limited options for input.  People can't contribute to initiatives they don't know about or that are not made available in languages or formats they can access.

**Lack of Community Resourcing and Accessibility**

Page 3 Introduction:
*"We are committed as a Government to developing a just and inclusive society"*

Why then are the documents and options for commenting not in an electronically accessible format?  Blind and low vision people may have difficulties with the format and options for response.  People without access to digital technology or in communities without close links to government policy are likely to be unaware of the OGPNZ consultation opportunity.

How can the approach be inclusive or open if people don't know about it and don't have an opportunity to engage?

**Future Engagement**

The Expert Advisers say on P5
*"It's critically important that input to Open Government reflects New Zealand's unique relationship with tangata whenua as well as its diverse population. For this reason, input to the next National Action Plan must include as many voices from our communities as possible. We heard through this process that engagement with all New Zealanders is an area which needs to improve and we will challenge and support the Government to push harder."*

Tautoko this.  Not only should the Open Government process be open to hearing voices, but there needs to be resourcing to enable the discussion to be taken out to the communities and relationships built to enable proper listening.  This will not be an overnight exercise. Open channels of engagement with communities need to be built and maintained, not just ask for input every three or more years.

Refer also to P8
*11 As we developed this Plan New Zealanders told us that government policies, services, and engagement practices need to reflect the diversity that exists in our country. They also told us they need to have access to, and be able to provide, information in ways that work for them in order to make their best contribution.*

**Census**

Page 7, *A percentage of New Zealanders do not vote or enrol to vote, or participate in the national census.*

The switch in 2018 to an Online Census with limited access to paper Census forms saw a decrease in participation in the Census. Part of this would have been due to the Digital Divide of inability or unwillingness to access the internet. People without secure housing or access to a computer had limited ability to participate. For some people, completion of the online Census could be done only by giving incorrect information, e.g. in respect of self identified gender.

In my view, there needs to be more assistance provided to enable people to participate in the Census and more open box options where the answer to a question is more complicated. Support from Community Hubs (see below) or mobile assistants is one way to help with the Census process. Co-designing forms with sensitive or marginalised populations including disabled people and LGBTIQ+ (or "Rainbow") people would also help. Gender is more than M or F options.

**Community Hubs**

Establish joint agency Community Hubs with free Wifi and computer terminals together with government staff to act as navigators and assistants for Government services. Computers could have limited internet access set to government agency sites and be used for interactions with agencies. Staff could help with assistance where required especially for older or disabled users. Such Hubs could be established in all cities and townships and more remote communities. Where communities lacked other private sector services such as banking, the Hub could negotiate limited services on third party representation basis.

It is important for building relationships and knowledge that staff be employed on a long term basis, at least initially. With isolated communities in rural and regional settings, as well as insular communities in some cities, the ability to understand and relate to local issues will be paramount. A Community Hub in Otaki should include speakers of Te Reo Māori. A Community Hub in parts of Auckland should include Chinese language speakers.

**The relationship between Māori and government**

Government in Aotearoa New Zealand would be strengthened by expansion of Crown-Māori Relations and also by the establishment of expertise within Government agencies to monitor and advise on centering Te Ao Māori within agency practice. Partnership as created by Te Tiriti o Waitangi should be made real through agency practice. For example, principles for the use of data from iwi,hapu, and Māori individuals should be developed with people striving to realise Māori Data Sovereignty. There may be areas of disagreement but the discussions are areas of commonality should be made clear and those agreements shared with communities and online for public information.

**Diversity And Cultural Communities**

P8 *"At a national level, our diversity provides an opportunity to grow into a more productive, creative, and dynamic society and improve our ability to understand and connect with the world around us. At an individual level, recognising and valuing New Zealand's diversity will support people to feel included, respected and able to make their unique contribution to our multi-cultural society."*

At a government agency level, more needs to be done to accept and include diversity. EEO (Equal Employment Opportunities) policies are a start but welcoming diversity needs more than agreement not to discriminate against individuals. That welcome should include visible role modelling, sharing of success stories, information about inclusiveness and about accessibility of physical and digital spaces. Each public building should have an accessible toulet and information about its location available to visitors and staff. Where this does not yet exist, plans for improvements should be encouraged with advice from the Office of Disability Issues, and other population agencies (Ministry for Women, TPK, Ministry of Pacific Peoples, and Office of Ethnic Communities) and from relevant local advisors. Rainbow inclusiveness can be shown by participation in and certification with the Rainbow Tick.

**Official Information**

P8
12 ... *there are ongoing concerns about compliance with the current legislation, and with the legislation itself.*

Some agencies delay responses to requests unreasonably and are reluctant to provide information, even where no good grounds for refusal exist. Information, except personal information, should be Open By Default. Sensitive personal information should be protected, and other personal information anonymised and aggregated and released either as shared information in the IDI, or as Open Data. It is important that data patterns and information can be released openly for evidence based decision making and to enhance transparency and scrutiny of government actions. In some cases commercial gains may result but this may be a good thing for the economy provided no one party gains an unfair advantage. Publicly funded research should be released openly.

**Innovation and Service Design**

P9
*The service design and delivery teams at the Service Innovation Lab work with New Zealanders to ensure government services meet citizens' needs. The Lab supported the implementation of SmartStart – a new approach where government services are delivered based on key events in people's lives, rather than how government agencies are set up.*

The DIA Service Innovation Lab is doing groundbreaking work leading to more open services for New Zealanders. Their break through work coding computational legislation into open source code has the potential to be a good example for other work. The example of the Rates Rebate API prototype with input from Tauranga City Counsel and Parliamentary Counsel Office could be followed by other useful applications of technology to law. Fingers crossed the Holidays Act will be translated soon.

There should be dedicated ongoing funding to ensure that the Service Innovation Lab can continue to plan and carry out its work and to retain sufficient staff expertise to enable projects to be completed. Staff from other agencies should be encouraged to co-partner with the Lab on a seconded or project basis and to take insights back to parent agencies on completion of the work. To date there has been much interest in the work of the Lab but insufficient Government support for the initiative to let is be the example to other agencies it could be.

**Anti-Corruption Measures**

P9 *Enhancing anti-corruption measures through:*
*o a review of the Protected Disclosures Act – New Zealand's whistle-blower protection legislation, which applies to both the public and private sectors.*

This would be a start and policies should be implemented throughout the state sector, possibly in association with State Sector Reforms, to provide a confidential channel for inquiries into inappropriate actions within agencies, and support for whistleblowers if they need to be identified.

**WellBeing Indicators**

P9
New *frameworks for measuring, monitoring, and publicly reporting on the wellbeing of New Zealanders*, such as *:*
*o A Living Standards Dashboard being developed by the Treasury to support the Living Standards Framework, with measures of wellbeing and sustainable development;*
And
*o Indicators Aotearoa New Zealand from Stats NZ;* And
*o A Wellbeing Budget in 2019*

These are all important, but they need to be framed in clear language so that the public understand the terms. Drafts using such terms as *"Human Capital"* are not open and preclude ready discussion by members of the public or public servants in areas less familiar with the terms. Even if reports need to be reframed for submission to the OECD, information should be accessible and easily understood. Examples of why Wellbeing matters should also be included in public documentation. An environment field officer may not think of WellBeing measures when reporting on the State of Rivers but that environmental measure may have an impact on WellBeing.

There are quantifiable economic harms from negative actions against WellBeing that are subject of reports by NGOs such as the Child Poverty Action Group and agencies such as the Ministry for Women and MSD. What is the cost of domestic violence? Of child abuse? There are research findings on the gains from supporting Wellbeing too, such as the threefold gain back to the economy from spending on the public health sector (refer to The Body Economic: Why Austerity Kills by David Stuckler and Sanjay Basu https://treasury.govt.nz/news-and-events/our-events/body-economic-why-austerity-kills ) These harms and benefits should be included in discussion documents and releases.

**Commitment 1: Engagement with Parliament**

Increased use of digital channels is valued by communities where they are aware of its use and can access it.  During recent presentations to Select Committees and MPs members of New Zealand's disability community appreciated the opportunity to present and to be seen or heard via livestreaming.  The use of NZ Sign Language interpreters was also welcomed.  Members of this community ask that all Parliamentary livestreams include NZ Sign Language.  This may necessitate use of a second camera and contracting with more NZSL workers but the engagement is worth it.

Text guides for Parliament should be provided in a range of languages including Easy Read and accessible versions.  People First NZ have expertise in this area if advice is needed.  Disabled NZer Robert Martin represented New Zealand at the UN Committee on the Rights of Disabled Persons in 2018 with his NZ liaison helping the UN get the messaging right.  The NZ government could benefit from this example too.
https://www.peoplefirst.org.nz/news-and-resources/easy-read-resources/

**School Toolkit**

In addition to the skills noted on P15, *Every young person can access the civic and financial literacy, and workplace skills, they need to succeed, before they leave schooling.*

Every young person should also have knowledge of their own body and sexual identity and have the knowledge and confidence to keep themselves safe and healthy.  ERO findings indicate that there is inconsistent and inadequate education on sexuality and gender identity.  This can have negative and longterm consequences for some students.  Support for students and professional development and resources for teachers are both needed.
https://nzfvc.org.nz/news/ero-report-school-based-sexuality-education-finds-ongoing-inadequacies-and-inconsistency

**Public Participation to Develop Policy and Services**

Adopting a design thinking approach with involvement of users early to design the approach and work with communities is both better for engagement and can save pain and money from inadequate consultations that go wrong.  There are many such examples in the public transport sphere.  Community participants in these processes would lay some of the blame for this difficulty at NZTA's reluctance to listen or change its desired solutions, but this may be only part of the problem.

NZ Government has centres of expertise in Service Design Principles and practice but the knowledge is siloed and insufficient resources and will applied to spread them more widely.
https://www.digital.govt.nz/standards-and-guidance/design-and-ux/service-design/service-design-principles/

P20 Commitment 5: (Increasing) *Public Participation in Policy Development*

This is a laudable goal which requires both the ability to participate and also the motivation. Where lead advocates share stories and communicate effectively, public participation increases.  While only a small example, the participation by thousands of New Zealanders in submitting on and speaking to the Marriage Definition Bill that provided marriage equality for all couples, including same sex couples, showed how people could be involved.  Similarly packed school halls on Climate Change statements before the Copenhagen meeting, shows the result of effective public motivtion.  This would be helped by more resources being made available.

Funding for open consultation exercises could be provided on application by nonprofit groups such as Action Station.

(Note: the resource referred to in this footnote P20 is in an inaccessible format with intrusive colour effects and column layout - https://www.lgnsw.org.au/files/imce-uploads/346/IAP2-Public-Participation-Spectrum-LGNSWAmalgamation-Toolkit.pdf)

**Service Design** Pages 20 - 22.

Absolutely Yes to inclusion of this work in Commitment 6.  NZ Government has centres of expertise in Service Design Principles and practice but the knowledge is siloed and insufficient resources and will applied to spread them more widely. https://www.digital.govt.nz/standards-and-guidance/design-and-ux/service-design/service-design-principles/

**Algorithms and Government Policy**

*Commitment 8: Review of Government use of Algorithms*
*Objective: 74 Increase the transparency and accountability of how government uses algorithms*

Yes to Algorithm Review, and to working with Open Source community on ensuring that algorithms are clear and transparent.  If proposed algorithms can't be shared publicly and understood by at least three people outside government agency, should they be used? Overseas experience suggests no, not if Government wants to build trust in its digital processes.  Expert advisory panels may help. https://algorithmwatch.org/en/eu-high-level-expert-group-on-artificial-intelligence/  and

https://euagenda.eu/upload/publications/untitled-147316-ea.pdf
How Policymakers Can Foster Algorithmic Accountability - By Joshua New and Daniel Castro | May 21, 2018

Re P 27
*Consider next steps for all-of-government assurance related to the use of algorithms in collaboration with Civil Society representatives*

My recommendation would that such collaboration should include private sector associations and companies too, including InternetNZ, NZRise, ITP NZ, and NZFOSS (NZ Free and Open Source Software society).

**Data Use and Data Stewardship**

*P27 Commitment 9: Increase the visibility of government's data stewardship practices*

Increase visibility and active discussions, especially with guardians of Māori Data Sovereignty https://www.temanararaunga.maori.nz/

Increase education and awareness of data and information for all New Zealanders.  What is personal information, and what are their rights?  What is Open data?  What is Shared data and who can see it?

I know the answers but how many New Zealanders in the wider community know?  This information should be added to formal education programmes and be made readily available in entertaining formats.

An additional area where action is needed, is to strengthern the Privacy Bill currently before Parliament with closer alignment with the EU's GDPR General Data Protection Regulation.  While New Zealand currently has adequacy status with respect to our privacy and personal laws as far as the European Commissioner is concerned, this is reviewed on an annual basis and it could be revoked if New Zealand practice slips too far behind that in the EU.

P29 *Commitment 10: Monitoring the effectiveness of public body information management practices*

Yes!

**Open Data**

P30 *Commitment 11: Authoritative dataset of government organisations as open data for greater transparency*

More open sharing about open data sets, Yes.  More data sets that are actually open data in format are released and curated.  Currently, many data set links are curated but not the data sets themselves.  Some data sets are neither truly open nor usable, they're not checked or accurate.

There should also be more resource information on where to start, what can be done, and examples.  I have visited https://data.govt.nz/ but only searched for particular sets rather than making greater use of the resource.  Few people are trained in using data sets and manipulating formats.  Without Data 101 resources and guides to using the site and the datasets, the site presents a wasted opportunity for the general public.  Data isn't difficult but some knowledge and skill is required to get use out of it.

Kay Jones
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**DRAFT**

# Open Government Partnership New Zealand

# DRAFT
# National Action Plan 2018-2020

# September 2018

**DRAFT**

New Zealand Government

# Contents

## FOREWORD – MINISTER OF STATE SERVICES

I am pleased to present New Zealand's Open Government Partnership National Action Plan 2018-20.

We are committed as a Government to developing a just and inclusive society. A society in which New Zealanders understand who they are, know they can participate, and have the skills and confidence to do so.

That is about bringing citizens and government closer together and overcoming the cynicism or indifference that many people feel about the systems of government.

We aim to transform the relationship between government and all the people it serves. The state sector reforms that I have proposed are aimed at making exciting and meaningful change to the way government works for citizens and engages with citizens.

Membership of the Open Government Partnership, and our commitment to the aims and principles of the Partnership, are part of our ambition to improve transparency and build understanding of what government does and why it does it. More than that it will help us achieve the ambitions of this Government to build a more inclusive society focussed on the wellbeing of all our citizens.

The commitments we are making in our third National Action Plan build on New Zealand's long and proud tradition of open and transparent government. While we are consistently amongst the top countries in global measures of integrity, including the wellbeing of citizens, openness, transparency, the rule of law and preventing corruption, we have much more to do.

Through our conversation with New Zealanders to develop this Plan, they have told us where we can do better. This Plan contains some important commitments which will advance open government in New Zealand.

It reflects our commitment to transform the way we work together to improve the lives of all New Zealanders.


Hon Chris Hipkins
**Minister of State Services**

**THE PLAN ON A PAGE**

**OUR PLAN**

NEW ZEALANDERS PROVIDED 449 IDEAS ABOUT HOW TO MAKE GOVERNMENT MORE OPEN, ACCOUNTABLE, AND RESPONSIVE. WE PRIORITISED THESE IDEAS INTO THREE THEMES.

**1** PARTICIPATION IN DEMOCRACY

**2** PUBLIC PARTICIPATION TO DEVELOP POLICY AND SERVICES

**3** TRANSPARENCY AND ACCOUNTABILITY

THEN, WE TURNED THE THEMES INTO TWELVE COMMITMENTS WITH ACTIONS THE GOVERNMENT WILL DELIVER AND PUBLICLY REPORT ON

ENGAGEMENT WITH PARLIAMENT

YOUTH PARLIAMENT

SCHOOL LEAVERS' TOOLKIT

MAKING LEGISLATION MORE ACCESSIBLE

PUBLIC PARTICIPATION IN POLICY DEVELOPMENT

INCLUSIVE SERVICE DESIGN

OFFICIAL INFORMATION

GOVERNMENT'S USE OF ALGORITHMS

GOVERNMENT DATA STEWARDSHIP PRACTICES

PUBLIC INFORMATION MANAGEMENT

OPEN DATA ABOUT GOVERNMENT AGENCIES

OPEN PROCUREMENT

## EXPERT ADVISORY PANEL'S OBSERVATIONS

Our role is to advise the State Services Commission as it works to develop and oversee implementation of New Zealand's Open Government Partnership National Action Plans. This includes providing constructive advice and communicating openly with, and involving, civil society and government officials.

In the approach which has been taken to the development of this Plan, we have seen a genuine desire by the officials to work in partnership with civil society. The engagement has been constructive and authentic.

> **Commented [1]:** Suggest mentioning here that the process is detailed at the end of the document.

We have seen officials demonstrating that they have heard and responded to what people say. We had the opportunity to meet and share our views with the Hon Clare Curran, the then Associate Minister of State Services (Open Government).

That said, we are aspirational for the engagement approach to be developed further. It's critically important that input to Open Government reflects New Zealand's unique relationship with tangata whenua as well as its diverse population. For this reason, input to the next National Action Plan must include as many voices from our communities as possible. We heard through this process that engagement with all New Zealanders is an area which needs to improve and we will challenge and support the Government to push harder.

Open Government needs to be looked at as an investment in better government rather than as a 'donation' to a worthy cause. We should be looking to the return for our people (in terms of New Zealanders' wellbeing) we want to get from our combined investment.

In developing this Plan's commitments, we have pushed government agencies to stretch their level of ambition – and they have done so. We can see evidence of agencies leveraging off the past, learning, adapting and looking to the longer term. We see rollover and expansion from the Plan for 2016-18 into 2018-20.

We have seen, but expect to see more, learning from what worked and what didn't, and to see that knowledge applied both in terms of developing new commitments and in how they are implemented.

The 'how' of plan implementation will be very important – we have and will play a role pushing on the 'how' to make the most of New Zealand's diversity to improve our collective wellbeing and strengthen our democracy.

We also need to think about and assist the Government to leverage a relationship with the international Open Government Partnership community, where New Zealand has much to offer.

*Note: The External Advisory Panel (EAP) is a small group forming New Zealand's multi-stakeholder forum (an Open Government Partnership requirement). Membership of the EAP has changed this year, replacing some members who had resigned since its establishment and in response to the recommendations in the Independent Reporting Mechanism's Mid-term Report 2016-18.*

> **Commented [2]:** Might be good to link to page which as EAP profiles so readers know who they are?

## OUR STORY

### *This is New Zealand*

*Our reputation for integrity*

1    New Zealand is ranked amongst the top countries in global measures of integrity and transparency.[1] We also perform well in terms of public service responsiveness to citizens.

2    Against an international backdrop of declining trust in government, several indicators show that New Zealanders' trust in our Public Service is high and increasing.

3    We can't take this reputation for granted. Some indicators are not so positive.  A percentage of New Zealanders do not vote or enrol to vote, or participate in the national census. We have a digital divide. We have people who avoid the state (because of past experiences) or only make contact when they are in crisis.

*Our story of democracy*

4    New Zealand has made several important 'democratic' shifts, from:

●    a colonial society to a multi-cultural one, with special emphasis on the importance of the Crown-Māori relationship

●    a presumption of secrecy towards one of information sharing

●    a two-party political contest to meaningful representation of different voices in Parliament through the mixed member proportional (MMP) voting system  .

5    New Zealand will benefit from our increasingly diverse society if we continue to strengthen these shifts in our democracy.

*The relationship between Māori and government*

6    On 6 February 1840, Te Tiriti o Waitangi/the Treaty of Waitangi was signed between the Crown and Māori rangatira/chiefs. Different understandings of Te Tiriti, and breaches of it, have caused conflict. However, significant progress has since been made in settling historic grievances.

7    Focus is now shifting to ensuring a healthy relationship that allows the Crown and Māori to work together in partnership, particularly where outcomes for Māori are concerned. In 2017, a new Crown-Māori Relations Ministerial portfolio was established to reflect the evolving and maturing of the relationship between Māori and the Crown, particularly as we move into a post-Treaty settlement era.

*A multi-cultural New Zealand society*

8    We are also moving toward a more connected, multi-cultural New Zealand society; by 2013, people born overseas made up a quarter of our population,

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[1]Internationally New Zealand rates well against key indicators:
•        1st equal - Open Budget Index 2017 (International Budget Partnership) topping this survey for the third consecutive time.
•        1st – Corruptions Perception Index 2018 (Transparency International)
•        2nd – Civil Service Effectiveness Index 2017 (University of Oxford)
•        3rd equal – Freedom in the World 2017 (Freedom House)
•        4th – Democracy Index 2017 (Economist Intelligence Unit)
•        https://www.victoria.ac.nz/news/2018/06/research-shows-new-zealanders-trust-government-more,-churches-and-charities-less.

from an increasingly diverse range of countries. Stats NZ's projections to 2038 are that our diversity is set to increase.

9    The projections indicate that the Chinese, Indian, Samoan, and Middle Eastern/Latin American/African population groups will increase, with the Chinese and Indian groups almost doubling.

10   At a national level, our diversity provides an opportunity to grow into a more productive, creative, and dynamic society and improve our ability to understand and connect with the world around us. At an individual level, recognising and valuing New Zealand's diversity will support people to feel included, respected and able to make their unique contribution to our multi-cultural society.

11   As we developed this Plan New Zealanders told us that government policies, services, and engagement practices need to reflect the diversity that exists in our country. They also told us they need to have access to, and be able to provide, information in ways that work for them in order to make their best contribution.

*Openness*

12   Since the Official Information Act was enacted in 1982, the default position has been that government information should be made publicly available unless a good reason exists to withhold it. The conversation that has informed this Plan shows that there are ongoing concerns about compliance with the current legislation, and with the legislation itself.

*More representative government*

13   With the shift to MMP, our Parliament has become more diverse and representative of modern New Zealand society. We have seen an increase in the number of women, Māori, Pacific, and Asian Members of Parliament.

14   We aim to deliver the commitments in this Plan in a way that reflects a commitment to diversity and inclusiveness.

**What Open Government means to New Zealand**

15   Open Government is about ensuring that ALL New Zealanders have a place to stand, with a sense of identity, connectedness, and ownership. It's about empowering our people, as individuals, whānau, hapū, and communities. It's about strengthening the reciprocal relationship between government and New Zealanders. That means a government that is open, inclusive and responsive, and citizens who willingly get involved in issues that are important to them.

16   When government is more open, transparent and inclusive:

●    **people understand** what government does and why it does it
●    **people feel ownership** of their government, and they want to exercise their rights and meet their responsibilities
●    **people connect** with and support each other on issues affecting the community
●    **people engage** with government to share their ideas and opinions, and work towards solutions.

17   Government is doing many things already to improve transparency and inclusiveness.

18    Here's a few examples:

- The service design and delivery teams at the Service Innovation Lab work with New Zealanders to ensure government services meet citizens' needs. The Lab supported the implementation of [SmartStart](#) – a new approach where government services are delivered based on key events in people's lives, rather than how government agencies are set up.

- The role of the media in our democracy is being strengthened through increased funding for public media and to support new investigative journalism initiatives to promote robust national debate on issues that are important to the public.

- Enhancing anti-corruption measures through:

  o  a cross-government anti-corruption programme to reduce New Zealand's risk of corruption and enhance its integrity framework
  o  a proposal to establish a publicly available register of beneficial owners of companies and trusts
  o  a review of the Protected Disclosures Act – New Zealand's whistle-blower protection legislation, which applies to both the public and private sectors.

- Improving the effectiveness of government as a whole, by:

  o  reviewing the State Sector Act – the legislation that sets out public service principles and values, and underpins how government agencies work together to provide better outcomes for New Zealanders
  o  developing an Intercultural Competence Capability Development programme for State Sector employees as part of implementing the Migrant Settlement and Integration Strategy.

- Refreshing and developing frameworks for measuring, monitoring, and publicly reporting on the wellbeing of New Zealanders, in addition to the existing indicators:

  o  A Living Standards Dashboard being developed by the Treasury to support the Living Standards Framework, will include measures of wellbeing and sustainable development
  o  This will be supported by Indicators Aotearoa New Zealand, to be produced by Stats NZ, providing a source of measures for New Zealand's wellbeing. The set of indicators will go beyond economic measures, such as gross domestic product (GDP), to include wellbeing and sustainable development
  o  The Government is committed to delivering a Wellbeing Budget in 2019, as an important first step towards showing how the wellbeing approach can be used to inform our investment priorities and funding decisions, and to measure our success.

**OUR PLAN AND WHAT IT MEANS TO US**

19  Developing our National Action Plan was an opportunity for us to have a conversation with New Zealanders about what is important to them, their expectations and aspirations for their government. We also learnt about things that frustrate them about their interactions with government.

20  We cannot respond to all of them in this Plan. Some (as noted above) are already being responded to in the myriad of actions being taken across the Public Service. Others have fallen outside the scope of the Plan (as defined by the OGP values). Those ideas will not be lost. We will draw these ideas to the attention of the relevant parts of government.

21  The conversation government officials and our Expert Advisory Panel (EAP) have had with New Zealanders generated 449 ideas and provided the opportunity for deeper discussions about those ideas and the problems and opportunities they reflect. This Plan responds to three themes that emerged as our conversation progressed: participation in democracy; public participation to deliver policy and services and transparency and accountability.

22  Two linked ideas came through strongly and underpin this Plan (both the commitments in it and the approach to implementation). Those ideas are:

- we are a diverse and increasingly diverse community. That diversity will make a positive contribution to our collective wellbeing if we can understand and harness it

- making the most of our diversity and strengthening our democracy requires an informed and engaged public.

**OUR COMMITMENTS**

*PARTICIPATION IN DEMOCRACY*

23    We received about 50 ideas that expressed in various ways that all New Zealanders should know how our democracy and system of government works and how they can participate; they should be empowered to contribute to wider community life. This included ideas that were focussed on students and new migrants and the knowledge they should have about government and the skills they would need to contribute. While those two groups were specifically mentioned there was significant focus on improving general understanding of how government and parliament work and how people can participate in and influence what they do.

**We heard that:**

*As a school student it is impossible to know what is going on in Parliament, the decisions that have been made and what they are. Many of these issues affect us and we have no idea about them or how to find out about them. We need to have access to the conversation and to participate. (Dunedin schools workshop participant).*

*I want my children to be digital-able and included in what government decisions are about (Auckland workshop participant).*

*We need engaging public education about how decisions are made in government, so people can participate (Wellington workshop participant).*

*We need to have better access to the decision-making process. MPs represent an electorate but some don't share what is being decided or what approach is being taken and why. Otherwise it is a black box.*

*Select committee process should be constructive and more accountable, transparent and accessible. (NetHui workshop participant)*

*We need more opportunities for the public to engage with the legislative process that are simpler and more direct. (Public Sector)*

**Commitment 1: Engagement with Parliament**

**Objective:**

24 To improve public understanding of how Parliament works and engage a greater number of people with its work.

**Ambition**:

25 People will be able to access information about how Parliament works more easily and more people will engage with Parliament and have their say.

26 Parliament aims to reach a larger and more diverse audience across all its digital platforms – Parliament website, Facebook pages, Twitter for a more expert audience and LinkedIn for an audience interested in professional development - by June 2020. It also aims to grow engagement, measured by more actions taken across all three platforms, by June 2020. Currently Parliament has:

● Facebook: More than 3,000 followers

● Twitter: 16,000 followers

● LinkedIn: 2,600 followers

27 While these numbers are still low, the ambition is to grow exponentially.

**Status quo**:

28 A Colmar Brunton report, *Exploring New Zealanders' understanding of, and engagement with, Parliament and the democratic process,* commissioned by Radio New Zealand and the Office of the Clerk in October 2017 suggested:

● Only a minority of the population inform themselves about the issues and processes of Parliament, and most are detached from parliamentary process and only a minority of the population inform themselves about the issues and outcomes.

● People do not necessarily understand how Parliament or democracy affects their lives and do not actively seek information on the parliamentary process and how to engage because it's not for 'everyday Kiwis'.

● Parliament is compared to the sun, 'we know it is there and it is important but it is too far.'

**Lead Agency**: Office of the Clerk of the House

**Timeline**: October 2018 – June 2020

| Commitment 1: Engagement with Parliament | | |
| --- | --- | --- |
| OGP Values | *Transparency, Public Participation, Technology and Innovation* | |
| **Verifiable and measurable milestones to fulfil the commitment** | **Start date** | **End date** |
| Expand the use of the Parliament TV channel to provide information about Parliament, in addition to coverage of the House, to show New Zealanders that Parliament is relevant to them. Content will be reviewed at least once every year. | Commenced broadcasts July 2018 | June 2020 |
| Make Parliament more interactive by holding | 2018 | June 2020 |

**Comment [3]:** Is it possible to specify this further. Are there any targets in mind? Any other channels or new forms of engagement envisaged?
LF – referred to OOC – baseline data were updated.

**Comment [4]:** Would be good to specify what new information would become available or more easily accessible to New Zealanders because of this. Referred to OOC.

**Comment [5]:** Might be worth incorporating user feedback into this milestone so it's clear that the review will be done with the needs and feedback of the beneficiaries in mind.
Referred to OOC – address in 'the how' of implementation

| | | | |
|---|---|---|---|
| three events every year, focussed on engaging people with Parliament, to raise awareness that Parliament is for everyone. Events to be identified by the Office of the Clerk in line with the Parliament Engagement Strategy 2018-2021. | | | |
| Develop and publish content showing 'real people' start petitions and make submissions to select committee, and make the pathway to having your say transparent and easy to understand to show people how to participate in the democratic process. | 2018 | June 2020 | |
| Develop and enhance a 360 Virtual Reality Tour of Parliament to raise children and young people's awareness of what Parliament does and make it more accessible and interesting to inspire future voters. | Commenced August 2018 | June 2020 | |

> **Commented [6]:** would the events also give people the opportunity to interact with and ask questions of MPs, if so would be good to mention
> Referred to OOC – address in 'the how' of implementation

> **Commented [7]:** Provide link if possible
> Link added

> **Commented [8]:** is there a specific current 'pathway'? What are the specific enhancements to transparency that will be undertaken?
> Pathway exists – this isn't about transparency as much as participation

## Commitment 2: Youth Parliament

**Objective:**

29 To improve understanding among young people of how Parliament works and to highlight topics that matter to young people the Ministry of Youth Development (MYD) will work with the Office of the Speaker of the New Zealand House of Representatives to deliver an enhanced Youth Parliament 2019.

**Ambition:**

30 Through delivering the six month Youth Parliament 2019 programme, MYD aims to fulfil the five Youth Parliament objectives:

- replicate the Parliamentary process
- involve as many young people as possible (before and after the event)
- maximise the educational opportunities of the event
- enhance Parliamentary public relations
- make known the views expressed to appropriate policy agencies.

31 To allow young people the opportunity to shape what is discussed at the two-day event the young people selected to be Youth MPs will submit potential topics for Youth Parliament select committee hearings, and potential topics for a mock bill.

**Status quo:**

32 The current Youth Parliament model (which has run every Parliamentary term since 1994) involves 120 Youth MPs and up to 20 Youth Press Gallery members participating in a six month tenure programme culminating in a two-day event at Parliament, which will occur on 16 and 17 July 2019.

33 Youth MPs are selected by sitting MPs and Youth Press Gallery members are selected by the Parliamentary Press Gallery.

**Lead agency:** Ministry of Youth Development

**Timeline**:  October 2018 - June 2020

| Commitment 2: Youth Parliament | | |
|---|---|---|
| OGP Values | *Public Participation, Technology and Innovation* | |
| **Verifiable and measurable milestones to fulfil the commitment** | **Start date** | **End date** |
| Widely promote the opportunity to submit to the ten planned Youth Parliament select committee hearings ahead of the July 2019 Youth Parliament event to a diverse range of young people. | April 2019 | June 2019 |
| Explore (with the Ministry of Education) how footage of Youth MPs speaking in the debating chamber of the New Zealand House of Representatives could be utilised as part of a civics or citizenship educational resource for schools. | October 2018 | June 2020 |
| With the Office of the Clerk of the House of Representatives maximise opportunities to profile Youth Parliament via social media channels, including promoting:<br><br>● the Youth MP and Youth Press Gallery selection period<br>● the finalising of the select committee and mock bill topics (planned to be finalised by April 2019)<br>● the work of Youth MPs in their communities during their tenure<br>● activities occurring during the two-day Youth Parliament event | October 2018 | August 2019 |
| Circulate Youth Parliament select committee reports to policy agencies relevant to the topics discussed and publish them on the MYD website as soon as they are available after the Youth Parliament event. | July 2019 | October 2019 |

**Commented [9]:** Might be worth including the event itself as a separate milestone as that seems to be the centrepiece of this commitment
Additional milestone added by MYD

**Commented [10]:** Might this link to the toolkit /resources mentioned in a later commitment?
Referred to MYD

**Commitment 3: School Leavers' Toolkit**

**Objective:**

34 To develop a Schools Leavers' Toolkit, comprising a suite of tools, resources and curriculum supports making it much simpler for schools to:

- Integrate civics, financial literacy and workplace competencies into their local curriculum
- Understand and respond to learners' levels of civic and financial literacy, and work readiness
- Effectively teach civics, financial literacy and workplace competencies.

35 Civics education, and an understanding of how government and the democratic process works, is an important element in developing young people who are confident, connected, actively involved, lifelong learners.

36 The Toolkit will also provide a vehicle for increasing young people's access to other Plan commitments, such as the information products being developed by the Office of the Clerk, and the Youth Parliament programme, delivered by the Ministry of Youth Development and the Office of the Speaker of the New Zealand House of Representatives.

**Ambition:**

37 Every young person can access the civic and financial literacy, and workplace skills, they need to succeed, before they leave schooling.

**Status quo:**

38 The National Curriculum already provides for civics and financial literacy and capabilities and workplace competencies. This includes high-level commitments to citizenship and readying young people for participation in the community.

39 In practice schools and kura are variable in the extent to which they deliver the breadth of civics, financial literacy and workplace competencies.

40 Research indicates that New Zealand teachers are confident teaching topics in the social sciences related to cultural identities, equality, human rights and the environment, but only moderately confident teaching aspects of civics such as legal, political and constitutional topics.[2] In addition, there is an inconsistent view across New Zealand schools about what 'civic and citizenship education' ought to involve and what means are effective in developing students' competencies.[3]

**Approach:**

41 We will work directly with young people, to co-design a schools engagement plan that ensures the voices of young people, their parents', whānau/family and the wider school community are at the forefront of our Toolkit development process.

42 This approach to the Toolkit is designed to evolve as we develop an increasingly sophisticated understanding of the resources, tools and supports currently available, and the barriers which currently impede schools and kura from

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[2]Wood, B. E., & Milligan, A. (2016). Citizenship Education in New Zealand policy and practice. *Policy Quarterly*, 65-73.

[3] Ibid

**Commented [11]:** Just a thought: could it also include something about how young people can participate in democracy between election cycles, where they can find out about ongoing consultation opportunities in government etc.
Referred to MoE - already covered eg para 35

offering a full range of civics, financial literacy and workplace competencies. This initial exploratory phase will inform the detailed approach we take to achieving the Toolkit's objective.

**Lead agency:** Ministry of Education

**Timeline:** June 2018 – June 2020

| Commitment 3: The School Leavers' Toolkit – providing opportunities for young people to access civics education and financial literacy education and key workplace competencies | | |
|---|---|---|
| OGP values | Public Participation | |
| Verifiable and measurable milestones to fulfil the commitment | Start date | End date |
| Stocktake of existing Toolkit resources complete | June 2018 | September 2018 |
| Ministers consider Ministry of Education analysis of opportunities to support expanded access to Toolkit opportunities | September 2018 | December 2018 |
| Exploratory co-design phase concludes and is used to inform detailed implementation support plan | June 2018 | February 2019 |
| Pilot implementation reporting and evaluation complete | February 2019 | November 2019 |

**Commented [12]:** A few things to be made clearer regarding the Toolkit: a) would it be a curriculum taught at schools or a toolkit given to students when they leave school? b) when would the Toolkit actually be created and rolled out? c) how many and what type of schools are intended to be reached? How many students?
Referred to MoE – would be relevant following the exploratory co-design stage – could be covered in progress reports

**Commented [13]:** What would this concretely look like?
Referred to MoE

## Commitment 4: Making New Zealand's secondary legislation readily accessible

### Objective:

43  To make New Zealand's secondary legislation readily-accessible[4].

### Ambition:

44  As a first stage, covered by this commitment, New Zealanders can access a complete list (and related information) of current secondary legislation, including where the full text can be found.

### Status quo:

45  Currently, makers of secondary legislation are empowered to make that legislation then publish it in a variety of ways, or not publish it at all. To date, Parliamentary Counsel Office (PCO) has identified over 100 different makers of secondary legislation and the majority of them are not part of central Government agencies. The result is that it is difficult for people to find secondary legislation and to know whether they have the current version if they do find it.

46  This commitment will continue the work that was started in the National Action Plan 2016-2018. PCO will work with the makers of secondary legislation to gather information about their secondary legislation and make it available on the New Zealand Legislation website (http://www.legislation.govt.nz/). This will mean that, for the first time, New Zealand will have a definitive collection of secondary legislation and where it can be found.

**Commented [14]:** And what will this enable them to do/understand better?
Referred to PCO – point is people will be able to access all legislation applicable to them.

### Approach:

47  The PCO is undertaking a project to make secondary legislation available on the New Zealand legislation website (alongside Acts, Bills, and other legislation). The

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[4] Local authorities and council-controlled organisations are out of scope.

part of the project covered by this commitment is expected to be an intermediate stage that will provide a complete list (and related information) of current secondary legislation on the New Zealand Legislation website, including where the full text can be found. The second and later stage involves the publication of the full text of secondary legislation to the New Zealand Legislation website. Legislation is required to provide the framework and create obligations on makers of secondary legislation to support this work. The Legislation Bill is currently before the House and a companion Bill with the working title of Secondary Legislation (Access) Bill will also be introduced to Parliament. Regulations will be needed, amongst other things, to specify the list information.

48     This work will greatly improve access to and transparency of New Zealand's secondary legislation. Secondary legislation published on the website will be subject to oversight by Parliament's Regulations Review Committee, which will ensure proper process for all secondary legislation.

**Lead Agency**: Parliamentary Counsel Office

**Timeline**: October 2018 – June 2020

| Commitment 4: Making New Zealand's secondary legislation readily accessible | | |
| --- | --- | --- |
| **OGP Theme** | ***Transparency, Technology and Innovation*** | |
| **Verifiable and measurable milestones to fulfil the commitment** | **Start date** | **End date** |
| Compile a complete list of makers of secondary legislation | 2018 | 2020 |
| Engage with makers of secondary legislation to--- <br><br> ·        encourage them to create a list of their current in-force secondary legislation in preparation for the commencement of the Legislation Bill "list" duty <br><br> ·        advise them of additional information about their secondary legislation that will be required to accompany the list <br><br> ·        encourage them to make their current in-force legislation publicly available on a website | 2018 | 2020 |

**Commented [15]:** Note overarching comment about including start and end months and sequencing of milestones.
Referred to PCO – to be reported back, where applicable, in progress reports.

| Creation of technology and processes to enable lodgement and publication of information on the NZ Legislation website[1]. | 2018 | 2020 |
|---|---|---|

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[1] Note: the compilation of a complete list of makers is dependent on the enactment and commencement of the Secondary Legislation (Access) Bill. The engagement with makers can only move to a requirement for agencies to supply a "list" of legislation to PCO when the Legislation Bill has been enacted and commenced, but engagement will continue beyond the scope of this commitment. The creation of technology and processes will continue to support lodgement and publication will only be required if the Legislation Bill is enacted and commenced.

*PUBLIC PARTICIPATION TO DEVELOP POLICY AND SERVICES*

49   We received nearly 100 ideas that expressed in various ways that government and New Zealanders should engage the public more in shaping policy decisions and the design of public services. Many ideas related to the importance of recognising and responding effectively to the increasing diversity of New Zealand society. They pointed out the importance of ensuring that policies and services reflected the needs, aspirations and expectations of people of different cultures, ages, genders and localities.

50    Many ideas suggested that the best way of doing this was to work with those people at all stages of the policy and service design processes (either directly or through those who are already connected to them – partnering with civil society and non-government and other organisations). This should be supported by improved tools, developing skills in both public servants and in the community. Ideas also pointed to the need for better communication of what government is doing, why and how and for improved and more user friendly access to government (and parliamentary processes).

51   There was also concern that individuals and communities provided input to government agencies, but because agencies were not connected, that information was not shared, resulting in a multitude of 'consultations' and 'consultation overload'.

**We heard that:**

*NZ is a multicultural society. How do you value diversity or create a platform for diverse voice to come through? (Auckland workshop participant)*

*Government needs to be better at listening to, understanding, and responding to different perspectives. (Christchurch workshop participant)*

*Youth voices are not being heard. Particularly in the regions there are not enough opportunities for the youth view to be included in the conversation. Even for the most engaged students, it is impossible to find ways to access or be part of the decisions being made about them - government isn't doing it. Access more through schools or on websites we use - don't create your own. (Dunedin schools workshop participant)*

*I want my Pacific Island values reflected in policy development (Auckland workshop participant)*

*Create and spread a Gold standard Decision-maker Driven Engagement for NZ government that will have more impact because it involves the decision makers in the process; focus on issues the government want public input on; produces recommendations usable for politicians; and feedbacks the government response/action.*

*Government needs to include the voices with Māori and Pacifika into decision making more. Their views need to be reflected in policy development, working groups and decision making more consistently." (Dunedin schools workshop participant)*

*To fully understand the needs of the community, government needs to co-design policies and processes alongside them, or let them lead. The involvement needs to happen at the problem definition stage not at the end of the process (e.g. including community in the redesign of jury service). (Wellington workshop participant)*

*An expanded consultation listing ……….. can be used as a mechanism to track and measure indicators of quality (e.g. consultation time period, readability).(Individual suggestion)*

*Expanding the data collected to include upcoming/planned engagements will give the public and different interest groups more time to engage. It also helps the public service see what is happening across the sectors, which could encourage collaboration between engaging with the same or similar audiences. (Individual suggestion)*

**Commitment 5: Public Participation in Policy Development**

**Objective**:

52    The Department of the Prime Minister and Cabinet (DPMC) will assist the New Zealand public sector to develop a deeper and more consistent understanding of what good engagement with the public means (right across the International Association of Public Participation's spectrum of public participation). [5]

**Ambition:**

53    New Zealanders increasingly experience a more timely and collaborative approach to public participation when policies are developed, and consider their concerns, diversity of views, life experience and time are valued in the policy process.

54    Improvements in public participation can result in better design of policy and services, and increase their legitimacy. Improving public participation requires an informed approach to applying public participation methods throughout the policy development process. Developing a deeper understanding of what good engagement looks like and providing guidance about best practice methods across government, will achieve a more consistent and coherent approach to public participation.

**Status Quo**:

55    To date the majority of consultation has been in the 'inform and consult' part of the IAP2's spectrum, involving relatively limited degrees of public participation that often occurs in the later stage of the policy development process. There are substantial opportunities to improve the degree of participation by the public, community organisations, businesses and employee groups in the development of policy and the design and delivery of government services. Improvements in public participation in recent years have been driven by agency-specific or sectoral policy agendas, demand from stakeholders and proactive action by key individuals at all levels. Across government, responsibilities related to public participation have evolved separately and are somewhat ad hoc.

56    The drive for improved public participation is part of a wider change in public management in which the traditional role of the citizen has already moved from "voter" to "customer", and is now moving from "customer" to "co-creator". Under this view, policy and services are designed with, rather than for, people, respecting their knowledge and beliefs, and their active role in their own lives and those of other New Zealanders.

**Lead agency**: Department of the Prime Minister and Cabinet

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[5] The IAPP Spectrum of Public Participation encompasses five approaches for engaging with the public: Inform, consult, involve, collaborate, and empower.https://www.lgnsw.org.au/files/imce-uploads/346/IAP2-Public-Participation-Spectrum-LGNSW-Amalgamation-Toolkit.pdf n

**Timeline**: October 2018 – June 2020

| Commitment 5: Develop a deeper and more consistent understanding within the New Zealand Public Sector of what good engagement with the public means (right across the IAP2's Public Participation Spectrum) | | |
|---|---|---|
| **OGP Values** | ***Public participation*** | |
| **Verifiable and measurable milestones to fulfil the commitment** | **Start date** | **End date** |
| Extend existing Policy Method's Toolbox public participation guidance (https://www.dpmc.govt.nz/our-programmes/policy-project/policy-methods-toolbox-0 )to include a decision tool that will assist agencies and Ministers to:<br><br>● Choose the appropriate engagement approach on the public participation spectrum when they tackle a specific policy or service design issue<br><br>● Understand the characteristics and enablers of effective public participation at whichever point on the spectrum they choose<br><br>● Ensure that the engagement approaches selected appropriately include and reflect the diversity of those interested and affected by the policies | October 2018 | March 2020 |
| Develop and share recent case studies documenting New Zealand innovation success stories in public participation in the policy development process | October 2018 | March 2020 |
| Identify a 'live' policy issue in which to trial public engagement in policy development that is higher on the public participation spectrum than inform or consult, as a demonstration project | October 2018 | March 2020 |
| Widely disseminate the results of the above actions | March 2020 | June 2020 |

**Commented [16]:** This sounds great and aspirational. Wondering how you will assess progress or recognize success.
DPMC to address in the implementation plan – 1st Quarter Report

**Commented [17]:** This sounds great and aspirational. Wondering how you will assess progress or recognize success.
DPMC to address in the implementation plan – 1st Quarter Report

**Commented [18]:** This sounds great and aspirational. Wondering how you will assess progress or recognize success.
DPMC to address in the implementation plan – 1st Quarter Report

**Commitment 6: Service Design**

**Objective**:

57 To develop an assessment model to support implementation of the all-of-government Digital Service Design Standard (the Standard) by public sector agencies (https://www.digital.govt.nz/home/digital-design-service-standard/ ).

58 The Standard provides the design thinking to support the objective of New Zealanders being able to work collaboratively with government to shape the design of public services. Collaboratively designed services will be more trusted, accessible, integrated and inclusive.

59 The assessment model provides the basis to assess and measure agencies' performance against the Standard and it supports a mind-set and culture

change, both at an individual agency maturity level and in terms of system-wide change.

**Ambition:**

60    People experience more responsive, open, citizen-centric and user-focussed service delivery.

**Status quo**:

61    The Government Chief Digital Officer published a new Digital Service Design Standard in June 2018. The standard sets out principles with supporting guidance for the preferred tools, techniques and approaches to transition from an agency-centric perspective on service design to a more user-centric driven mode of delivery.

**Approach:**

62    The development of an assessment model is a critical foundation piece, ensuring agency up-take, and supporting individual agencies to meet the standard and to enable system-wide change in the design, development and delivery of public services. A suite of guidance and existing directives, have been collated to demonstrate ways for agencies to meet the standard. A review of the current state in New Zealand, and the international environment, will be undertaken to provide assessment model options.

63    This is a "living standard" and it will continue to be updated and evolve over time as we better understand the complexities involved in putting them into practice, and as our collective maturity increases. We will seek and foster ongoing stakeholder engagement to provide input to help refine and improve this standard.

**Lead agencies:** Government Chief Digital Officer – Department of Internal Affairs

**Timeline**: October 2018 – June 2020

| Commitment 6: Service Design: Develop a conformance model to support implementation of the all-of-government Digital Service Design Standard by public sector agencies. | | |
|---|---|---|
| **OGP Values** | *Public participation, Technology and Innovation* | |
| **Verifiable and measurable milestones to fulfil the commitment** | **Start date** | **End date** |
| Identify suitable assessment (conformance) models for supporting agency uptake of the standard, including options for assessment and measurement of performance against the standard | August 2018 | March 2019 |
| Publication of preferred assessment model for implementation | April 2019 | June 2019 |
| Public engagement on a refresh and review of the Digital Service Design Standard | December 2019 | June 2020 |

## *TRANSPARENCY AND ACCOUNTABILITY*

64    We received over 200 ideas that expressed in various ways the need to increase government transparency and accountability, that all New Zealanders should be able to access Government information and services easily - in whatever way works for them and that New Zealanders should be not only be able to access Government information resources but be able to use them easily.

65    Many ideas expressed concerns about access to official information both in terms of practice and the legislation. A number of specific and reasoned suggestions for legislative change were made. There were also concerns that data and information needed to be provided in ways that facilitated reuse.

66    The growth of artificial intelligence and the use of algorithms were specific concerns related to government use of data and information.

67    The importance of openness in terms of access to information related to both the ability of people to participate in government (as informed citizens) but also trust in government and its institutions. In part this is about knowing (or being assured that if you want to know you can find out) what government is doing and in part it is about "demystifying" government.

68    There were also concerns that information (and government publications generally) need to be written and accessible to the general public - not written in "government speak".

**We heard that:**

*We need to produce plain English publications, reports and information on government which is understandable, simple, accessible and consistent (Wellington workshop participant)*

*Algorithmic transparency: Rules, calculations, AI, and machine learning need to be open and available for inspection and interrogation and justification. It is disempowering to citizens to be subject to digital processes that are opaque and may contain hidden biases and assumptions. (Christchurch workshop participant)*

*Decision makers should disclose the information their decisions were based on, their understanding of the consequences of their decisions and why they reached the decision they did. (Christchurch workshop participant)*

*Technology gives us the tools to improve people's lives on scale, but to do this for the benefit of NZers, we need to be open and understand how decisions are made (Wellington workshop participant)*

*We need a better understanding of how effectively government agencies are managing their information from creation to disposal. (Wellington workshop participant)*

*We need to work out accountability mechanisms for machine learning algorithms that aren't and can't be transparent. (Wellington workshop participant)*

*"    Require all Crown-entities (including ACEs and ICEs), Crown-owned companies and State-owned enterprises to publish forward meeting schedule, agendas, papers, minutes, Board member attendance, conflicts of interest management, online. The standard needs to be 'publish unless there is a good reason not to'." (Individual suggestion)*

*When algorithms are implemented as part of the delivery of public services or the deployment of public assets they should be subject to the kind of assessment that is suggested by New York Universities recent paper described here: https://medium.com/@AINowInstitute/algorithmic-impact-assessments-toward-accountable-automation-in-public-agencies-bd9856e6fdde (Individual suggestion)*

*"Extend organisational accountability information on the https://www.govt.nz/organisations/Govt.nz A-Z of government agencies. This is information that helps people know which agency they can contact when they're taking a complaint, also what that agency can do (e.g. prosecute, review etc.). (Individual suggestion"*

**Commitment 7: Official Information**

**Objective:**

69    To improve the availability of official information by:

- providing advice to the Government on whether to initiate a formal review of official information legislation

- progressively increasing the proactive release of official information by publishing responses to requests for information made under the Official Information Act (OIA). This commitment builds on work undertaken as part of the 2016-18 NAP on official information to make information more accessible, which promotes good government and trust and confidence in the State Services.

**Ambition**:

70    New Zealanders:

- can have confidence that the regulation of official information remains fit for purpose

- have equitable access to official information released in response to specific requests.

**Status quo**:

71    The Law Commission's 2012 review of official information legislation recommended a number of changes to the OIA, some of which resulted in amendments.

72    Since the Ombudsman's 2015 report on OIA practices, the focus has been on improving agency performance on implementing the letter and the spirit of the OIA.

**Approach**:

73    There have been continued calls to take another look at the legislation. The conversation and workshops with civil society to develop the third National Action Plan also generated ideas and suggestions to improve official information legislation and practice. This input will be built on to inform advice to Government on whether a formal review of official information legislation would be worthwhile, or whether the focus should instead remain on achieving practice improvements.

**Lead agencies**: Ministry of Justice and the State Services Commission

**Commented [21]:** It would be good to clearly state what problems there are with the current legislation and practice. Also, to make the progress measurable, we would need to know some current stats in the areas they consider not to be working so well, so that we can see if the commitment leads to improvements in 2 years.
Referred to MoJ and SSC – first point is covered in a general sense in para 73.
Six monthly update of OIA Statistics for 30 June 2018 provides a baseline

**Timeline**: October 2018 to June 2020

| Commitment 7: Official Information | | |
|---|---|---|
| **OGP Values** | *Transparency, Accountability* | |
| **Verifiable and measurable milestones to fulfil the commitment** | **Start date** | **End date** |
| Test the merits of undertaking a review of the Official Information Act 1982 and provide and publish advice to Government | Following the report back of the Privacy Bill (anticipated November 2018) | June 2019 |
| Achieve a measurable increase in the proactive publication of official information request responses | October 2018 | June 2020 |
| Implement a policy to publish Cabinet papers proactively within 30 days of final decisions, unless there are good reasons to withhold specific papers | October 2018 | January 2019 |

**Commented [22]:** To make this participatory might be good to set up a multistakeholder consultative process for testing the merits?
'The how' to be reported on in progress reports

**Commented [23]:** Is there a current baseline that could be mentioned to be able to later assess if indeed there has been a measurable increase?
Latest OIA statistics 30 June 2018 will provide the baseline.

**Commented [25]:** Any particular reason this ends in Jan 2019? Should it not be ongoing?
Implementation of Cabinet decision from 1 January 2018

**Commented [24]:** Would be good practice to specify the reasons when they are withheld to assure the public that this isn't being applied arbitrarily. If 'good reasons' are laid down in law or regulation already would be good to make note of that.
Relevant OIA sections will apply here.

### Commitment 8: Review of Government use of Algorithms

**Objective:**

74    Increase the transparency and accountability of how government uses algorithms.

**Ambition:**

75    To ensure New Zealanders are informed, and have confidence in how the government uses algorithms – automatic decision-making processes used by computer programmes – to identify patterns in data.

**Status quo:**

76    Advances in digital and data environments are changing how we live, work, and interact. These changing environments present considerable opportunities to improve the lives of citizens, but also present challenges to ensure that data is used appropriately.

77    Tools such as data modelling and algorithms have tremendous power to improve lives. Despite these tools being increasingly used by government agencies to support decision-making, there is no agreed cross-government approach to algorithms or the decisions they support.

78    The Chief Data Steward (CEO of Stats NZ) recently published the Principles for the Safe and Effective Use of Data and Analytics with the Privacy Commissioner. Using these, the Chief Data Steward is undertaking a cross-government review with the Chief Digital Officer (CEO of DIA) to increase the transparency and accountability of how government uses algorithms – to improve the lives of New Zealanders. The initial focus will be on operational algorithms that result in, or inform, decisions directly impacting individuals or groups.

79    Having guidance, oversight and transparency in place is essential for New Zealanders to understand how their personal data is used, and for fostering trust, confidence and integrity around the use of data the government holds on their behalf.

**Lead agency**: Stats NZ (working with Department of Internal Affairs (Government Chief Digital Officer))

**Timeline**: October 2018 – June 2020

| Commitment 8: Review of Government use of Algorithms | | |
|---|---|---|
| **OGP Values** | | |
| **Verifiable and measurable milestones to fulfil the commitment** | **Start date** | **End date** |
| Complete an initial review of existing operational algorithms and their use across a range of government agencies[6] | 1 June 2018 | 31 October 2018 |
| Consider next steps for all-of-government assurance related to the use of algorithms in collaboration with Civil Society representatives | 31 October 2018 | 28 February 2019 |
| Update this commitment (and its milestones) to reflect progress made in previous milestones | 1 March 2019 | 31 March 2019 |

**Commented [26]:** For this commitment to be relevant for transparency at some point there needs to be some information disclosed to the public. Internal and closed-door reviews would not satisfy this criteria. Might be worth considering what information can be made public pre-updating the commitment in March and post. Referred to Stats NZ – would be good practice to engage with informed public on review and update at least.

### Commitment 9: Increase the visibility of government's data stewardship practices

**Objective:**

80    Increase the visibility of data practices for government-held data.

81    Because the government stewards and uses data on behalf of New Zealanders it has a duty to ensure that this national data asset is well managed, used responsibly and ethically, and protected.

82    The aim of this commitment is to provide a cohesive and integrated view of the various components that guide how government collects, manages, and uses data. This will provide New Zealanders with assurance that mechanisms are in place to ensure government handles their data responsibly, ethically, and safely.

**Ambition:**

83    New Zealanders will:

- understand how government is managing, using, and protecting their data and be able to hold government to account.

- have confidence and trust in the management and use of data government holds on their behalf.

**Status quo:**

84    Government holds a vast amount of data on behalf of New Zealanders. This data has the potential to be an immensely valuable asset both for government, and outside of government, driving innovation and contributing to economic, social, and environmental progress.

85    Utilising data to produce meaningful insights will ensure that the way services are designed and delivered is better informed; the evidence base for policy development is strengthened; and data is used in operational decision-making.

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[6] https://data.govt.nz/assets/Blog-files/Review-of-Government-Algorithms-Report-14-May-2018-for-release.pdf

Improving data practices will also mean that government is better able to meet the growing expectations of New Zealanders for quick, effortless and smart services.

86      There are pockets of significant progress in the way that data is managed and used across government. However, government data practices have not been consistently and cohesively designed and implemented with all-of-government needs in mind. Poor government-wide management of data limits its use and reduces the value that can be realised from the data for the benefit of all New Zealanders.

87      We need to ensure that government takes a collective approach to the collection, management, and use of data held on behalf of New Zealanders. There is a need for strong, consistent data practices to maintain trust and confidence, ensure privacy is protected, and to foster the ethical use of data.

88      It is essential to have active engagement with New Zealanders to demonstrate the value of data and create an open dialogue around data issues or concerns. Public trust and confidence needs to be maintained and enhanced through deliberate and continued engagement with the public.

**Lead agency**: Stats NZ

**Timeline**: October 2018 – June 2020

| Commitment 9: Increase the visibility of government's data stewardship practices | | |
|---|---|---|
| OGP Values | *Transparency, accountability* | |
| Verifiable and measurable milestones to fulfil the commitment | Start date | End date |
| Develop and publish an overview of government's data stewardship practices | Commenced August 2018 | 30 November 2018 |
| Engage with citizens and government on the data stewardship overview to ensure it provides visibility of the right things and is addressing key needs | 1 December 2018 | 31 March 2019 |
| Promote the data stewardship practices to government agencies and support them to implement good practice | 1 April 2019 | *Ongoing* |
| Engage with citizens and government to identify where effort should be focussed to address gaps in government's data stewardship practices | 1 April 2019 | 30 September 2019 |

## Commitment 10: Monitoring the effectiveness of public body information management practices

**Objective:**

89    To make the management of government information more visible and therefore transparent by developing and implementing a monitoring framework that supports public reporting on the effectiveness of information management by central and local government agencies.

**Ambition:**

90    New Zealanders and public agencies will be able to see the standards for management of government information and the rates of progress central and local government agencies are making towards meeting those standards.

**Status quo:**

91    There is no visible or consistent, relevant available set of measures to provide assurance that government information is being managed to meet the standards and public expectations of access to information that are characteristics of open government.  The public currently have no way of accessing government's performance in reaching the level of good, consistent management of information necessary to ensure accountability. Any information that is available is not easily discoverable or understandable for the public.

92    We are committed to lifting performance and building public trust and confidence in the management of government information so that good practice is embedded, measured in our systems and easily accessed and understood by the public.

**Lead agency:** Department of Internal Affairs (Archives New Zealand)

**Timeline**: 1 July 2018 – 30 June 2020

| Commitment10: Monitoring the effectiveness of public body information management practices | | |
|---|---|---|
| **OGP Values** | **Transparency, Accountability** | |
| **Verifiable and measurable milestones to fulfil the commitment** | **Start date** | **End date** |
| Develop a proposed monitoring framework that includes a suite of consistent and relevant measures to enable public visibility of the effectiveness of agency information management. This could include technology to enable a whole-of-system view of government information holdings and the effectiveness of its management | Commenced July 2018 | December 2018 |
| Communication and engagement: the proposed framework and its potential options will be consulted on with  regulated parties and other  potential users | Commenced July 2018 | July 2019 |
| Rolling it out.  Ensuring that the implemented monitoring activity is useful for, and easily used by, the regulated agencies to improve performance and that a common view of results is available to all stakeholders (including the public) | April 2019 | July 2020 |

**Commented [27]:** Is there a generally accepted standard about "information management effectiveness"?
Referred to DIA – Information and Records Management Standard referred to under Status Quo and first milestone.  Hyperlink added.

**Commitment 11: Authoritative dataset of government organisations as open data for greater transparency**

**Objective:**

93  Release and maintain an authoritative dataset of government organisations as open, machine readable data to enhance the transparency of government structures to the public.

94  There will be cross-agency agreement to maintain this dataset providing assurance that the data being used is the authoritative source. This dataset becomes a foundation for both digital services and information about government.

**Ambition:**

95  New Zealanders and others will have access to authoritative, open data about government agencies and their roles, learn more about how government is structured, what agencies do, and be able to reuse the open data in new and innovative ways.

> **Commented [28]:** Please clarify further if the commitment pertains to information about the agencies or information held by agencies - currently somewhat conflated.
> Referred to DIA – Para 96 makes clear this is referring to data about government agencies

**Status quo:**

96  At present, data about government organisations is duplicated in stand-alone lists and databases across multiple organisations. This results in different information being provided about the same agency in multiple locations which can erode public trust. This data is also often not in an easily reusable format.

97  New technologies and open standards have the potential to scale the impact of Open Government initiatives. Machine readable open data is a practical example of this and plays an important part in driving transparency and digital service transformation in government. An open dataset of government organisation details could be used as a base for the Directory of Official Information, Archives Public Records Act database, the Audit Offices' database, local council information, and many more.

**Lead Agency:** Government Chief Digital Officer (GCDO) – Department of Internal Affairs

**Timeline:** October 2018 – June 2020

| Commitment 11: Release and maintain authoritative dataset of government organisations as open data for greater transparency | | |
|---|---|---|
| OGP Values | Transparency, Accountability and Technology and Innovation | |
| Verifiable and measurable milestones to fulfil the commitment | Start date | End date |
| Identify owners, contributors and maintainers of the data held in the proposed dataset. | October 2018 | December 2018 |
| Investigate and agree on the appropriate open standards for the dataset. | October 2018 | December 2019 |
| Work with identified dataset contributors to agree process for ongoing maintenance of the dataset. | December 2018 | June 2019 |
| Release the open data set on data.govt.nz and make it available via the data.govt.nz open data API, and promote the opportunities of reuse that the dataset provides with government agencies, NGOs, | June 2019 | June 2020 |

business, and the public.

**Commitment 12 Open Procurement**

**Objective**:

98    Publish the data on government awarded contracts that is currently publicly available on the Government Electronic Tenders Service (GETS) as open data.

**Ambition**:

99    People will be able to easily find and access published GETS information for contracts awarded by government agencies that are subject to the Government Rules of Sourcing. This will increase the level of trust the public has in procurement as it will be possible to analyse what contracts government agencies are awarding, what the expected spend is and which businesses have been awarded contracts.

**Status quo**:

100    Currently after awarding a contract government agencies must publish a contract award notice on GETS.  This notice details information about the successful tenderer and the expected spend under the contract. Anyone can view these award notices, however it is difficult to collate the data from them due to the format in which they are displayed.

**Lead Agency**: Ministry of Business, Innovation and Employment

**Timeline**: October 2018 – June 2020

| Commitment 12 Open Procurement | | |
|---|---|---|
| OGP Values | Transparency, Accountability, Technology and Innovation | |
| Verifiable and measurable milestones to fulfil the commitment | Start date | End date |
| Design with Stats NZ and the public a more usable format for this data. | October 2018 | June 2019 |
| Publish the results of the first milestone, for example information on what format the data will be released in and if we need to publish supporting material to help people interpret the data. | July 2019 | December 2019 |
| Publish the Contract Award notices online in the agreed usable format. | June 2020 | On-going |

*WHAT WE HEARD BUT HAVEN'T INCLUDED IN THIS PLAN*

101 Not all the 449 ideas we gathered have made it into the commitments in this Plan. All the ideas were considered and themed at a workshop of officials and the EAP in June 2018.

102 The Workshop considered that some ideas were not sufficiently aligned to the OGP values, (transparency, accountability, public participation and technology and innovation). The SSC has identified the agencies whose functions relate to those ideas and transferred the ideas to them so that they can see what people have contributed. This information has been published on the OGP New Zealand website www.ogp.org.nz).

103 Looking across the in-scope ideas there were seven broad themes:

1. All New Zealanders know how our democracy and system of government works and how they can participate; they are empowered to contribute to wider community life

2. Government and New Zealanders work collaboratively to shape policy decisions and design of public services

3. Increase the transparency / accountability of Government

4. All New Zealanders can access Government information and services easily - in whatever way works for them.

5. Improve the efficiency and effectiveness of public services

6. Environment supports a free and independent media to increase transparency of Government decision-making

7. New Zealanders can access Government information resources for innovation.

104 Workshops in June and July 2018, involving the EAP, representatives from the public workshops held in Auckland, Wellington and Christchurch and officials, considered these themes. Possible commitments responding to the themes were proposed by officials. The themes and the commitments described in this Plan were identified as the priority for action over the next two years. Theme three in this Plan includes 3, 4 and parts of 7 above.

105 We received approximately 40 ideas that suggested opportunities to enhance the efficiency and effectiveness of public services. Many of these ideas were about the need for government agencies to be more collaborative, joined-up and working from the perspective of what will work best for the public. Theme two responds to some of these concerns. The review of the State Sector legislation will also provide an opportunity to address many of these ideas. They have been provided to the relevant officials for their consideration. Other ideas expressed the need for agencies to deliberately develop capability (skills, expertise and an appropriate culture) to engage effectively with civil society; this is picked up in theme 2.

106 Four ideas related to ensuring an environment that supports a free and independent media. The importance of this to a functioning democracy was well recognised. The work being undertaken referred to earlier is aligned with those ideas.

107 Work underway and proposed (in the Plan and elsewhere) that will support access to government-held and -generated information in user friendly ways are relevant to the ideas that were focussed on innovation. There were other ideas

that related to possible barriers to public access such as copyright rules and the government's approach to managing the intellectual property it owns or generates. While these ideas are not included in this Plan the State Services Commission has drawn these concerns to the attention of the Ministry of Business, Innovation and Employment (the responsible Ministry).

108  63 ideas that were identified as outside the scope of the OGP values will be referred to relevant agencies.

## OUR JOURNEY TO GET HERE

109 In 2017, to ensure a stronger engagement process for development of this plan, the State Services Commission sought feedback from the EAP on the approach to engagement and interviewed representatives from civil society organisations active in OGP in New Zealand (Inspiring Communities, Tearfund, Volunteer NZ, CommVoices, and Hui E!) to learn about their expectations.

110 SSC also surveyed the almost 800 subscribers on the OGP mailing list, and publicised the survey on the OGP NZ website and to our twitter followers.

111

**Results of pre-engagement activity**

We heard that:

*The number of interested participants in OGP had doubled*

*A range of engagement mechanisms are required, but they should all facilitate "conversations" so that people can track and participate as commitments are refined*

*Participants want greater transparency; to be able to see how ideas are themed, refined and prioritised (there were concerns about their ideas disappearing into a "government black box" and emerging as commitments which they didn't recognise)*

*Regional workshops and the final co-creation event were the highest rated engagement approaches used in 2016. The online engagement tool and live stream of events were deemed the next most effective. Twitter was rated lowest, behind teleconferences. It was unclear what made Twitter ineffective, i.e. whether it was the medium or the communication approach used.*

*The majority of currently interested participants reside in Auckland and Wellington.*

112 There was a strong message from participants in the previous NAP development process that their ideas seemed to go into a "black box" from which the commitments emerged. It was not obvious to participants how their ideas had influenced the commitments. There was also concern from Hui E! that a set of commitments they had developed through a multiparty engagement process had in effect been treated as a set of inputs from an individual.

113 All ideas are recorded on the OGP NZ website engagement tool and there's a document showing how ideas have been addressed and have flowed through to the themes and commitments. In April and May 2018 SSC gathered ideas for commitments. This involved both online and kanohi ki te kanohi (face-to-face) processes. The online process included the use of a website where ideas could be posted and commented on. The kanohi ki te kanohi engagements included both public (Auckland, Wellington (2) and Christchurch) and targeted workshops (Dunedin Students and State Sector New Graduates). The process included an active social media presence involving twitter, Facebook and LinkedIn.

114  At the workshops people shared and refined their ideas and identified underlying problems. All the ideas were captured on the Delib website, accessible from www.ogp.org.nz.  Almost 200 people attended the workshops. 449 ideas were captured through all the engagement processes and recorded on the website.

115  Following the idea-gathering phase the process moved into a theming, synthesising and prioritisation phase. This involved:

- workshops with the EAP and officials (initial theming and prioritisation of the seven themes)

- who were joined by representatives from the public workshops (consideration of the themes and potential commitments and confirmation of the priority themes)

- refinement of commitments by the EAP and officials.

116  A draft of this Plan was then developed by the SSC and the commitment lead agencies. The draft Plan was tested by the EAP before it was provided to the Responsible Minister and reviewed by Cabinet.

117  The draft Plan was published www.ogp.org.nz and New Zealanders were invited to provide comments. [Describe how comments were addressed.]

118  The Plan was approved for submission to OGP on <dd/mm/yy> [describe final authorisation process].

**WHAT YOU WILL SEE NEXT**

*Implementation of this Plan*

119    The challenge for the Government moving into the implementation of this plan is to demonstrate inclusiveness and engagement in the process of implementation. Lead agencies understand that getting this right is an important part of their commitment.

*Continuing the Conversation*

120    The history of the implementation of the OGP in New Zealand has been one of continuous improvement. It has been episodic in nature, built around the need to develop a new NAP. The conversations have improved but we aim to build towards an ongoing conversation. Such a conversation and the relationships that it will build will allow future National Action Plans to support both longer-term objectives and short-term priorities.

Dear Amy and Larry,

Thank you so much for sharing the action plan draft. I have to say I love the overall spirit/ philosophy behind the action plan and the commitments, and the way in which you have linked what you heard through the consultations to the commitments. That's quite a unique approach and for sure I will be recommending this to other countries going forward. I also can also see that the IRM recommendations from the previous NAP have informed elements of this new plan. So first off, congratulations to the team for all the effort that's gone into this work.

A few overarching comments/questions below, and more in the attached document for each section and commitment. Please let me know if anything needs further clarification.

- We'd suggest having a clearer specification of the problem each commitment aims to address up front. This is covered to some degree and can be inferred from the status quo/ambition sections but would be good to be clearly lay out "what am I trying to solve" --> "how does the commitment set out to solve it?" which is not always clear from the ambition/status quo. Similarly it would be good to review to what extent the milestones correspond with the ambition and if some can be reframed or stretched further to make the links stronger

- We'd recommend staggering start and end dates so activities build on each other where relevant. Currently a number of commitments just have 2018 and 2020 as start/end dates which will make mid-term progress hard to assess. Similarly suggest specifying months for both start and end dates

- For commitments which have a public engagement component, it would be good to specify what form the engagement might take, and whether inputs will be published so it's easier to later determine to what extent those inputs informed the final policy outcomes.

- A number of the commitments have milestones that are about 'exploring', 'promoting' or 'engaging'. It would be good to review to see if there is an element of verifiability that can be built in. In other words how will you recognise and assess progress and success for these commitments?

Please note our standard caveat for reviews at this stage: This review identifies high-level areas of improvement to make commitments more Specific, Measurable, Answerable, Relevant, Time-bound and results oriented based on guidelines prepared by the Support Unit . This review is not an endorsement of the scope or ambition of open government reforms contained in the action plan, which will be separately assessed by the IRM.  This review is not intended to complement or replace the IRM assessment, which is a completely independent process.

Happy to schedule a call to discuss further or answer any questions you may have over email.

Good luck with finalizing the plan!

Best wishes,


Shreya

I wish to comment on section 107 of the draft. Currently this states

 "Work underway and proposed (in the Plan and elsewhere) that will support access to government-held and -generated information in user friendly ways are relevant to the ideas that were focussed on innovation. There were other ideas that related to possible barriers to public access such as copyright rules and the government's approach to managing the intellectual property it owns or generates. While these ideas are not included in this Plan the State Services Commission has drawn these concerns to the attention of the Ministry of Business, Innovation and Employment (the responsible Ministry)."

 From these comments it seems to me that those drafting this plan are taking a narrow view of the term "access". At present this comment in the report appears to read as if "access" is defined as the ability to "see" the content held and generated by government. I regard this as a limited definition of the term.

 In my opinion it is vital to the aims of this action plan that the public not just be able to access information but also have the ability reuse content held and generated by the government. Nor should this ability to reuse content be restricted to the narrow purpose of innovation.

 The ability of the pubic to have access to and reuse content will assist with the National Action Plan's aims of encouraging public participation in policy development and the ability of the pubic to engage with official information. In this case I'm defining "offical information" very broadly, as defined in the Official Information Act.

 At present, as a result of the inability of government departments themselves to work out the rights of the public when it comes to reusing content, the public are being hindered in engaging with official information and are being restricted in their ability to participate in policy development. Even if the Copyright Act were to remain unreviewed and unchanged, this structural failure in implementation by the government will, in my opinion, hinder the aims of the Action Plan for Open Government.

 I have had several instances where I have had difficulty obtaining access to and reusing content held or created by government departments and government funded institutions such as the Department of Conservation, the National Library, the National Museum of New Zealand Te Papa Tongarewa, NIWA etc. This difficulty came about as a result of the either the inability, or the policies, of those institutions to facilitate public access to and reuse of content created or held by them. I believe there are currently structural or resourcing failures within some of these institutions which result in the public being unable to engage with information held or created by the government.

 It is not purely that the current Copyright Act may need to be amended or changed, nor is it that the current act hinters innovation. It is that the implementing of policies and resourcing within government departments that deal with the day to day application of the current Copyright Act are hindering the pubic's access and ability reuse to information and content held and generated by the Government. I recognise that "GOAL" - the New Zealand Government Open Access and Licensing framework - has gone some way in encouraging departments to facilitate access and reuse. But I don't regard this framework as going far enough.

 To give you examples about what I am talking about. Last year I wrote to the CEO of the New Zealand National Museum Te Papa Tongarewa and their Minister requesting that the licensing on their natural science specimen images be changed. At present these images are licensed under the Creative Commons CC BY NC SA license. This license is quite restrictive and meant that I couldn't reuse those

images in Wikipedia. The reason I wanted access to those images was to illustrate articles I was writing on endangered endemic New Zealand species. My intention behind writing those articles was to raise the general awareness of New Zealanders to endangered species in their area and by doing so hoped to ensure more New Zealanders take an interest in those species, including engaging with DOC to ensure the protection of them. That is encouraging public participation in policy development. I was informed that the licenses of these images would be changed to the more open CC BY 4.0 license which of course I was very happy about. However I was also informed that as a result of technical and resourcing issues this change in license would take some time to implement. In the meantime I would have to wait until this work was complete before I could make legal use of the images.

 To give another example. I was wanting again to use images held at the National Library of New Zealand. The images I was wanting to use are in the public domain according to the present New Zealand Copyright Act. The images are digitised and the National Library allows access to these images via their website. The National Library is giving the general public the ability to reuse these images. However at present there are conflicting reuse statements on content held by the National Library despite content being in the public domain. These conflicting reuse statements ensure I am unable to use the images for the purpose to which I wish to put them, despite them being in the public domain. I understand the National Library is in the process of attempting to clarify its reuse statements. However I have been informed that this situation is unable to be fully addressed at present as a result of resourcing constraints and, it appears to me, the lack of priority given to this work.

 To give a third example, the Department of Conservation has an image repository of the many photographs taken by current and previous Department of Conservation staff. As far as I am aware the majority these images are inaccessible to the public as they have not been digitised. I also understand that there is also frequent confusion within the department concerning the copyright status of the more historic images, that is who actually owns the copyright of those images. With the Department of Conservation being unable to make a judgement on this, the ability of the public to access and reuse of those images is non existent.

I recognise that the examples I'm giving only deal with images. However I'm of the opinion that the structural challenges would be similar for other forms of official information.  These concerns and issues are not going to be rectified by bring them to the attention of the Ministry of Business, Innovation and Employment.

It is all very well to have a plan for Open Government but if practical steps are not laid out in the plan and resources are not prioritised to enable this work to be undertaken, then Open Government will not come to fruition.  I am of the opinion that this issue of hinderance to gaining access and the ability to reuse information exactly the sort of issue that should be addressed by the Open Government plan. Work should be done to prioritise the practical steps needed to be undertaken to ensure that the aims of Open Government are met.


Best regards

Siobhan Leachman

# SUMMARY OF PUBLIC COMMENTS ON THE DRAFT NATIONAL ACTION PLAN 2018-20 AND RESPONSES

| Author | Summary of Comments | Response |
|---|---|---|
| **Introduction** | | |

This table provides a summary of the comments received on the draft National Action Plan 2018-20 (the Plan), which was published for public feedback on 20 September 2018. We received twenty-four replies to the request for feedback from members of the public and civil society organisations. The period for public feedback closed on 17 October 2018. We have provided a response to the feedback, where relevant, including from Lead Agencies for the commitments.

For ease of reference back to the draft Plan, we have organised the feedback and responses, in three categories:

1 Comments noting improvement in the process to develop this plan and suggestions for further improvement for the development of future plans.

2 Comments in relation to each of the commitments – including that some commitments and milestones required greater specificity or clarity as well as suggestions that relate to implementation of the commitments. These comments were passed to agencies. This had two results:

o Specific content in commitments and milestones was clarified and made more robust

o Agencies will provide greater detail in their quarterly reporting on what they plan to deliver (as plans progress) and how they intend to implement commitments with civil society.

3 Other comments that suggested new commitments. As these have not been through any other public engagement process, these have been referred to the relevant agencies for their consideration and, where appropriate, may be included in the development of ideas for the next plan starting in 2020.

## 1. Comments on development process and ambition

| Author | Summary of Comments | Response |
|---|---|---|
| Shiner | Likes distillation of the ideas, and breakdown into themes.<br><br>Form is easy to follow and understand the focus.<br><br>Looking forward to seeing progress | Thank you for the positive feedback. |
| Rodney Barber | Generally supportive of the plan in particular **commitments 3, 5, 6 and 12**.<br><br>Would like to see the next plan involving local government | Local government involvement noted by State Services Commission (SSC) and Expert Advisory Panel (EAP) for consideration during development of fourth National Action Plan 2020-22 (Plan 2020-22) |
| Transparency International | Detailed comments on:<br>• Appreciate the evolving substance of commitments<br>• Applaud the escalated range of consultation but notes still only minuscule engagement with the NZ public<br>• Great need to further improve engagement by the public (including in the course of implementation of commitments), ramp up on-going engagement across central and local government, explore engagement approaches with EAP and identify what the NAP is not achieving.<br>• Need to improve measurability of commitments.<br><br>EAP membership be expanded with nominations from Civil Society organisations (IRM recommendation as well) | Noted by SSC and EAP for NAP 2020-22 and for implementation of the National Action Plan 2018-20 (Plan 2018-20) |
| Jan Rivers (personal capacity) | Has enjoyed being part of the process this year and seeing improved resourcing and buy-in within the government.<br><br>The extent and ambition of the 12 commitments, as well as the process to achieve them seem more aligned with the overall intent of the Open Government Partnership's objectives than the previous two iterations. It is a shame that no civil society group has emerged to partner in developing the plan. Hopes SSC and the expert advisory group give some thought to how a grouping could be nurtured from the existing interested parties and NGO's.<br><br>Great to see open government initiatives that go beyond what is contained in the plan. | Noted by SSC and EAP for future plan development and implementation. |
| Volunteering NZ | Volunteering is most connected to the first theme in the Plan though clearly some overlap exists, given the extent to which advocacy work relies on volunteer labour.<br><br>Concern that economic disparity is and will diminish trust in government. Overall, the Plan could be more ambitious and specific. VNZ's feedback points to two outside resources:<br>• *Bridges Both Ways* proposes several big ideas to leverage the power of volunteer labour and citizen decision-making.<br><br>• The *Civics and Media Project*, gives specific suggestions, organised around the notion that civics and media are inseparable elements of democratic participation. | Noted by SSC and EAP for consideration of particular initiatives in Plan 2020-22.<br><br>Could also influence the implementation of Plan 2018-20. |
| Kay Jones | This draft Action Plan is generally sensible and would make positive gains for a more Open Government. The Commitments reflect discussions at consultation meetings I attended. In some areas, the Commitments do not go far enough and lack specific actions to implement them.<br><br>There are opportunities to improve access to the consultation process to develop the plan and its commitments.<br><br>Documents and options for commenting on the plan and commitments should be in an electronically accessible format so blind and low vision people can access them – they may have difficulties with the format and options for response. People without access to digital technology or in | Noted by SSC and EAP for the development of Plan 2020-22. |

# SUMMARY OF PUBLIC COMMENTS ON THE DRAFT NATIONAL ACTION PLAN 2018-20 AND RESPONSES

| Author | Summary of Comments | Response |
|---|---|---|
| | communities without close links to government policy are likely to be unaware of the OGPNZ consultation opportunity.<br><br>The Open Government process should be open to hearing all voices; there needs to be resourcing to enable the discussion to be taken out to the communities and relationships built to enable proper listening. Open channels of engagement with communities need to be built and maintained, not just ask for input every three or more years. | |
| Johnathon Hunt | It's good to see the increased number of commitments (12 in 3rd action plan, vs 7 in 2nd action plan (2016-2018).<br><br>The opportunity for civil society feedback on the Draft NAP is a significant improvement for transparency and engagement compared to last period. | Thank you for the positive feedback. |
| Fortress Social Services Charitable Trust(FSS) | FSS applauds SSC's approach to the OGP stressing participation. FSS believes that only through encouraging ethnic minorities to participate proactively in the democratic process can we ensure that they form a true part of our democratic polity. In particular, FSS applauds Commitments designed to enhance public engagement at a policy level and to provide greater understanding of the democratic process.<br><br>FSS is concerned to ensure that Commitments take specific account of linguistic minorities in design of service provision.<br><br>Agencies implementing **Commitments 1, 4, 5 and 6** should explore methods to make the information provided more accessible to speakers of minority languages (including Te Reo Maori).<br><br>Agencies implementing **Commitments 5 and 6** should consult with linguistic minority communities on how to ensure programmes are easily accessible to people who don't speak English fluently.<br><br>FSS believes [civics] resources provided to school students should also be available to new migrants so that basic systems and processes of our polity are known to them. | For all Commitments, lead agencies are considering how to implement their Commitments to improve accessibility.<br><br>Commitment 1 - Parliament's initiatives recognise the need to provide for accessibility to speakers of minority languages.<br><br>Commitment 6 – The Digital Service Design Standard makes reference in Principal 9 – Design for our unique constitutional and cultural environment |

## 2. Comments relating to specific commitments

### Commitment 1 : Engagement with Parliament

| Author | Summary of Comments | Response |
|---|---|---|
| Transparency International | Recommend:<br>• objective includes mention of enhanced democracy/ democratic responsibilities<br>• communications strategy and implementation programme required for distant delivery and to engage key demographic audiences<br>• Parliament TV channel target audience of 'once every year' is properly clarified, such as the average for the whole population (age xx and above) or other clearly measurable means.<br>• the target quantities of audience engagement are specified for each respective communications channel. | Office of the Clerk (OoC) will take these comments into account in implementing the commitment.<br><br>Figures mentioned in the commitment were updated to establish a baseline for subsequent reporting.<br><br>Figures for target quantities would be arbitrary as life of the channels varies and the level of growth varies. This is something OoC will review as its Strategy progresses. |
| Jan Rivers<br><br>(personal capacity) | (The following comments refer to **commitment 1, 2 and 3**).<br><br>These are praiseworthy initiatives.<br><br>• An additional initiative would be to (as LGNZ does for the schools sector each election year) is to make a toolkit available to schools to follow, monitor and carry out a shadow vote.<br>• Possible concern about making Parliament (and public services more generally) accessible via FaceBook and other social media over which the government has little control. The algorithm's delivering content to users are still too much of a black box to be certain that they are not being manipulated by third parties or government departments using FaceBook membership as a source of data. | Noted. OoC, Ministry of Youth Development (MYD) and Ministry of Education (MoE) to consider during implementation of the commitments. |
| Johnathon Hunt | I would like to see a further milestone regarding increasing publication of parliamentary information in structured formats. While parliament.nz offers an attractive browsing interface it doesn't offer structured, machine-readable data that can be used in downstream applications. Details and suggestions provided. | OoC to consider in the implementation and future evolution of this commitment. |
| Carol Hayward | (Comments relate to **commitments 1 & 2**)<br><br>Parliament TV is a good start but people want to watch a particular issue being debated. Broadcasting of Parliament needs to be managed in a way that allows people to navigate to the issue they wish to see and dip in and out of the conversation – focus on specific points in the debate or particular speakers.<br><br>In the UK at a local government level this was enabled by https://www.public-i.tv/ . In addition, partnering with the media allows greater dissemination and visibility of key issues – allowing access right to the point in the agenda they were reporting on.<br><br>The evaluation from the Local eDemocracy National Project identified that children and young people enjoy participating but this needs to form part of the school curriculum and be embedded into school programmes of work rather than being an add on. | OoC and MYD to consider in the implementation of these commitments.<br><br>The Watch/On Demand section of the Parliament website assists people to focus on particular issues.<br><br>A focus area of the Parliamentary Engagement Strategy is to Inspire and nurture future voters. |

# SUMMARY OF PUBLIC COMMENTS ON THE DRAFT NATIONAL ACTION PLAN 2018-20 AND RESPONSES

| Author | Summary of Comments | Response |
|---|---|---|
| | Democracy games were a good way of engaging young people. | |
| | Local Democracy Week was a nationally facilitated programme, which helped to support and encourage councils to participate. (Details provided) | |
| | Children and young people also may like the opportunity to participate virtually in parliament – having a Q&A session through live TV. | |
| Kay Jones | Increased use of digital channels is valued by communities where they are aware of its use and can access it. During recent presentations to Select Committees and MPs members of New Zealand's disability community appreciated the opportunity to present and to be seen or heard via livestreaming. The use of NZ Sign Language interpreters was also welcomed. Members of this community ask that all Parliamentary livestreams include NZ Sign Language. This may necessitate use of a second camera and contracting with more NZSL workers but the engagement is worth it. Text guides for Parliament should be provided in a range of languages including Easy Read and accessible versions. People First NZ have expertise in this area if advice is needed. Disabled NZer Robert Martin represented New Zealand at the UN Committee on the Rights of Disabled Persons in 2018 with his NZ liaison helping the UN get the messaging right. The NZ government could benefit from this example too. https://www.peoplefirst.org.nz/news-and-resources/easy-read-resources/ | OoC will consider these suggestions in the implementation of the Parliamentary Engagement Strategy. |

### Commitment 2 : Youth Parliament

| Author | Summary of Comments | Response |
|---|---|---|
| Jan Rivers | See Commitment 1 above. | See Commitment 1 above. |
| Carol Hayward | See Commitment 1 above. | See Commitment 1 above. |

### Commitment 3 : School Leavers Toolkit

| Author | Summary of Comments | Response |
|---|---|---|
| TINZ | Each milestone needs a verb that refers to what is actually being undertaken (proposed and may be also achieved-to-date). The use of "completion" is unhelpful, given that End Dates are separately indicated. | MoE provided responses in relation to each of these points. Milestone wording has been amended, reflecting this feedback. |
| | That the "co-design" phase clearly indicates target quantities of participatory groupings, by which to measure progress/success. | Target numbers will be developed as part of the methodology for co-design (currently under construction). |
| | That the toolkit aims to cater for broadly diverse ethnicities (existing and migrants). | Resource development has the objective of being inclusive of diverse learners. The co-design process, with a focus on user needs and experiences, will also provide useful insight in this area. |
| | Reference be made to teacher training to support knowledge and promotion of the toolkit. | Communications and curriculum support activity is part of MoE's business as usual, and so is not highlighted in the commitment. |
| | That these competencies and literacies (para 34) are clearly defined and measurable. | MoE is interested in exploring curriculum progress models, and will consider whether these need to be developed once the stocktake of existing resources is complete. |
| | That a method of measuring these competencies or literacies be developed that could be used internationally. | |
| Fortress Social Services Charitable Trust | In designing Toolkit<br><br>• take into account the possibility of making it available to new migrants (not only those on student visas) – for reasons detailed in the comment<br><br>• take account how cultural backgrounds may influence understanding of civics<br>• ensure that civics is taught in a way that is respectful and protective of diversity (rather than imposing values uncritically)<br>• ensure standards set for the competencies are be clear and transparent | MoE confirmed the Toolkit will be targeted at all young people enrolled in schooling but it will be open to and available for use by others.<br><br>MoE undertakes all resource development with the objective of being inclusive of diverse learners. The co-design process, with a focus on user needs and experiences, will also provide useful insight in this area. |

### Commitment 4 : Making New Zealand's secondary legislation readily accessible

| Author | Summary of Comments | Response |
|---|---|---|
| TINZ | Secondary legislation database should be designed to accommodate future linking to, or integration with, a readily-accessible database of Court judgments (that form a key part of NZ law). | Parliamentary Counsel Office (PCO) publishes legislation drafted by PCO to the NZ Legislation website, and it is published in readily-accessible and reusable formats.<br><br>Legal publishers already re-use the legislation to create their own legislative products and PCO are aware of other organisations and individuals that have created products to add value to the legislation it makes available. These include initiatives like OpenLaw NZ's Chrome extension (https://www.openlaw.nz/plugin), which links legislation with case law, and the NZ Legislation Network created by the University of Auckland http://bcn-nzln.co.nf, |

# SUMMARY OF PUBLIC COMMENTS ON THE DRAFT NATIONAL ACTION PLAN 2018-20 AND RESPONSES

| Author | Summary of Comments | Response |
|---|---|---|
| | | which illustrates the connections between legislation. <br><br> When PCO incorporate versions of secondary legislation on the NZ Legislation website it is intended that it will continue to provide that legislation in readily-accessible and reusable formats, which will allow others to build or create products that work with the legislation on our site, or to create their own separate products. |
| | Government should initiate planning to provide publicly accessible summaries (commentary) on the law that is necessary for effective understanding of the law, to those who cannot afford the cost of access to basic private commentary. | Although the provision of summaries/ commentaries is not part of the commitment, it is PCO's intention to provide links from secondary legislation on the NZ Legislation website back to the agency responsible for the administration of the legislation. Will also provide for the ability to include links to supporting information if agencies provide supporting material. |
| Jan Rivers (personal capacity) | This is a worthy project. It is a huge and ambitious project with many positive outcomes. Has found that without access to department rules) the legislation alone was next to useless in understanding what can happen and why. <br><br> Residual concerns that the project's ultimate driver has been the need to meet a requirement of the CPTPP. The National Interest Analysis made it clear that access to secondary legislation, as well as transparency and early warning of planned legislation and regulation is part of the work towards reducing behind the border compliance costs for overseas investors. <br><br> Sure the benefits that local people and businesses can make compliance easier and reduce costs and improve understanding. Transparency of regulation as well as legislation and seeing the interrelations between them is ultimately a desirable public good. | PCO confirms that the commitment relates to all secondary legislation not just that affected by CPTPP. |

### *Commitment 5 : Public Participation in Policy Development*

| Author | Summary of Comments | Response |
|---|---|---|
| shanemiddlemiss | Government should develop civic online platforms to facilitate co-creation of solutions to intractable problems. This would support public transparency, better and lower costs services , better quality decision making and better buy-in. | DPMC confirms the commitment: <br><br> • supports a staged approach to improving public participation and engagement. <br><br> • establishes a foundation by identifying what good engagement looks like and fostering understanding of when and how to engage on the policy initiatives and challenges. <br><br> • will contribute to longer term ambition to improve capability on engagement at a system level, but begins by assessing s what works in particular circumstances to develop guidance for the policy profession. <br><br> DPMC will explain, in its Reports on progress, how it intends to test and evaluate the work undertaken as part of Commitment and how that work will be implemented. <br><br> DPMC will take into account the perspectives of those who contributed to the establishment of Commitment 5 and the views of those who provided comments on the draft plan. |
| TINZ | Applauds transition from "customer" to "co-creator" in the government's drive for improved public participation. <br><br> Recommends: <br><br> • milestones overall, should have clear intentions to take specific account of multiple linguistic, geographic and socio-demographic communities <br> • the setting of target quantities of communities and agencies which will be engaged in the process <br> • purpose of the 'live' policy issue trial includes reference to testing and refining the new Toolbox. | |
| Johnathon Hunt | It's good to see movement away from the disempowering use of "customer" to terms supporting more substantial engagement | |
| Jan Rivers (Personal capacity) | The public policy engagement initiative is a good start and the reference to IAP2 as the gold standard is the right approach. <br><br> The assessment is correct that in the public's mind little consultation goes beyond the inform/consult stage. This is not always the case see as examples the schools hui and this OGP Action Plan process. <br><br> However, that across government there is a huge disparity between government perspectives and those of the public on issues, which is one of the main reasons for low trust and low engagement. I await with interest a decision about a specific instance of consultation going beyond inform / consult stage and hope it is able to be an exemplar. <br><br> I would have liked to have seen the idea of a professional body of participation specialists as a cross government initiative supporting the spread of shared good practice. It would be better to see expertise spread across agencies than having 1 specialist unit carry out consultation on behalf of government. <br><br> There are many low cost ways to improve upcoming consultation. <br><br> • www.govt.nz has a participation area but agencies and other parts of government are not mandated to use it. <br> • A low cost option would be to mandate the announcement of consultation on websites using a specific tag   allowing people to search across the .govt webspace for the tag. <br> Meaningful consultation should not be terrifying to government - it is important that the people's voice, rather than the voice of corporations is paramount, in the development of public policy.  There are numerous approaches and | |

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| | opportunities to trial citizen's juries, participatory budgeting or AI approaches to developing ideas such as using tools like pol.is.<br><br>See Pat Webster's PhD about the ways in which government prior to the 1990's gathered information for the public good.<br><br>Funding civil society groups specifically to be the voice of the public could be considered again. Many organisations could identify solutions and advocate for good policy having canvassed members and once provided a useful low cost source of good policy and a useful sounding board.<br><br>Finally the wording of para 56 is government centric (an alternative is suggested). | |
| Andrew Ecclestone | While commitment 6 provides for 'standards' on Digital Service Design, commitment 5 does not commit to development of an all-of-government standard on public participation.<br><br>Commitment 5 does nothing to embed standards of public participation in government policy making and service design.<br><br>Given the OIA have been in place for 36 years, it time that the work on public participation resulted in delivery of a concrete set of standards relating to public consultation (and other types of public participation) against which Governments and agencies can be held to account.<br><br>The UK had central government standards for public consultation in the 1990s, and it is embarrassing that New Zealand has not yet caught up on this. | |
| Carol Hayward | Democracy and public participation need careful communication so that the right questions are asked and so that the issue is framed well.<br><br>Communication is often not done well and requires the right expertise and to allow people to participate at a level that suits their circumstance.<br><br>It is essential to provide feedback throughout the process.<br><br>It is disappointing to see that public participation is at the end of the current policy method toolbox guide – efforts to include more co-design and start with engagement at the start of the process and not just at the end would be particularly beneficial. A way of incorporating citizen led approaches too would be beneficial – potentially linking in with the petitions process and helping to show that the community can make a difference and deliver change. | |
| Kay Jones | Adopting a design thinking approach with involvement of users early to design the approach and work with communities is both better for engagement and can save pain and money from inadequate consultations that go wrong.<br><br>This commitment is a laudable goal which requires both the ability to participate and also the motivation. Where lead advocates share stories and communicate effectively, public participation increases. For example participation in submitting on and speaking to the Marriage Definition Bill showed how people could be involved. Similarly packed school halls on Climate Change statements before the Copenhagen meeting, shows the result of effective public motivation. This would be helped by more resources being made available.<br><br>Funding for open consultation exercises could be provided on application by non-profit groups such as Action Station.<br><br>(Note: the resource referred to in this footnote P20 is in an inaccessible format with intrusive colour effects and column layout - https://www.lgnsw.org.au/files/imce-uploads/346/IAP2-Public-Participation-Spectrum-LGNSWAmalgamation-Toolkit.pdf) | |
| **Commitment 6 : Service Design** | | |
| shanemiddlemiss | Government should develop civic online platforms to facilitate co-creation of solutions to intractable problems. This would support public transparency, better and lower costs services , better quality decision making and better buy-in. | This comment relates to both commitments in the Public Participation Theme of the draft Plan – and both the Department of Internal Affairs (DIA) and the Department of the Prime Minister and Cabinet (DPMC) have noted this feedback.<br><br>DIA is addressing this issue through the development of the *Marketplace*, which makes procurement of relevant solutions easier for agencies. The Loomio digital engagement tool, for example, is registered on the *Marketplace*. |
| TINZ | Criteria should be provided for the successful identification of 'assessment (conformance) models'. | DIA's consultation process on the Digital Service Design Standard will identify relevant models and frameworks, including relevant criteria, to inform final decisions. |

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| | Target quantities should be provided for anticipated public engagement (local government agencies, community organisations/groups, etc.) | This comment is relevant to OGP processes generally and to both commitment 5 and 6 and is an area for further consideration in the context of work to encourage public engagement at broader and deeper levels. |
| Johnathon Hunt | Development of an assessment model cannot "ensure" agency up-take. The assessment model will need to be promoted, and obligations to use the model need to be in place. | DIA's consultation process to be undertaken as part of this commitment will inform the relevant approach in the New Zealand context and what might be required to support uptake of the model, including authorising considerations around required use of the standard. |
| Kay Jones | Absolutely Yes to inclusion of this work in Commitment 6.  NZ Government has centres of expertise in Service Design Principles and practice but the knowledge is siloed and insufficient resources and will applied to spread them more widely. https://www.digital.govt.nz/standards-and-guidance/design-and-ux/service-design/service-design-principles/<br><br>The DIA Service Innovation Lab is doing ground-breaking work leading to more open services for New Zealanders.  Their break through work coding computational legislation into open source code has the potential to be a good example for other work.  Hopes to see the Holidays Act translated soon.<br><br>There should be dedicated ongoing funding to ensure that the Service Innovation Lab can continue to plan and carry out its work and to retain sufficient staff expertise to enable projects to be completed.  Staff from other agencies should be encouraged to co-partner with the Lab on a seconded or project basis and to take insights back to parent agencies on completion of the work. | The Digital Service Design Standard is one part of a broader work across the system to promote collaborative ways of working and encourage the designing information and services around users' needs rather than agency silos. |

### Commitment 7 : Official Information

| Author | Summary of Comments | Response |
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| R W M Dowler | Improving transparency by proactive release of Ministerial diaries | Referred to SSC for consideration as part of overall proactive release policies and practices. |
| Greg Rzesniowiecki | Amend the commitment relating to a possible review of the Official Information Act to add a public interest test to section 6 (Conclusive reasons for withholding official information) to deter criminal and/or corrupt activity. | This idea was also raised in the first public engagement process. Ministry of Justice (MoJ) will consider this idea and a range of other ideas submitted during that first public engagement when it tests the merits of undertaking a review of the Act, as provided for in milestone 1 of Commitment 7. |
| steveglassey | Departments should be rated on OIA compliance (star rating system) | SSC and the Office of the Ombudsman publish metrics on agency performance – this is evolving.  See: http://www.ssc.govt.nz/official-information-statistics  Referred to SSC for consideration. |
| TINZ | Target measures be provided for "a measurable increase" in proactive publication of requests<br><br>Safeguards against abuse of the OIA should be developed after wide community consultation, requiring non-partisan judgement before their implementation.<br><br>A framework of "good reasons" for withholding Cabinet Papers should be developed with wide community consultation. | SSC to consider these comments as part of overall OIA and proactive release policies and practices. |
| Jan Rivers (Personal capacity) | Supports the review of official information legislation.<br><br>Believes the lack of a government centre of expertise in OIA servicing is what is most important.  This could take be a specialised unit in the State Services Commission, Ombudsman's Office or Department of Internal Affairs. It would be<br><br>• a centre of good practice and provide training across government and local government for specialists across government and<br>• act as a carrot to good practice and a stick to poor practice. | Section 46 of the Official Information Act provides for the Secretary of Justice to provide advice or assistance or both to departments or organisations. This function has been delegated to the State Services Commissioner.<br><br>The Office of the Ombudsman and the State Services Commissioner play complementary roles in promoting good practice in the implementation of the Official Information Act.<br><br>See: http://www.ssc.govt.nz/official-information-guidance also http://www.ssc.govt.nz/official-information-statistics also http://www.ssc.govt.nz/oia-forum<br><br>See: http://www.ombudsman.parliament.nz/resources-and-publications/oia-complaints-data |

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| Andrew Ecclestone | This commitment should be part of the preceding theme about participation in the development of policy and the design of services.<br><br>This continues a longstanding problem with governments paying more attention to the accountability aspect of the OIA's purposes, rather than the first aspect relating to public participation in the making and administration of laws and policies.<br><br>OGP is fundamentally about increasing and improving public participation in policy development and service design. | The comment raises an important point. The first purpose of the Official Information Act (OIA) has dual objectives of facilitating public participation and improving accountability, to enhance respect for the law and promote good government.  On balance, SSC and MoJ concluded that the Commitment should remain in Theme Three which is about Transparency as well as Accountability.<br><br>All the commitments in Theme Three support transparency in various ways for both participation and accountability.  The introductory comments of both Themes Two and Three have been amended to reflect this link between the two themes. |
| | The draft commitment's first milestone places the process entirely in the hands of officials and Ministers, and does not live up to the spirit of the OGP's requirements and New Zealand's commitment to them.<br><br>Recommends that the commitment wording be amended to read:<br><br>Consult the public on which aspects of the Official Information Act 1982 they believe need amending, and publish both the submissions received and the analysis of those submissions prior to submitting advice to Government. | MoJ and SSC to consider this feedback in the implementation of this commitment. |
| Kay Jones | Some agencies delay responses to requests unreasonably and are reluctant to provide information, even where no good grounds for refusal exist.  Information, except personal information, should be Open By Default.  Sensitive personal information should be protected, and other personal information anonymised and aggregated and released either as shared information in the IDI, or as Open Data.  It is important that data patterns and information can be released openly for evidence based decision making and to enhance transparency and scrutiny of government actions.  In some cases commercial gains may result but this may be a good thing for the economy provided no one party gains an unfair advantage.  Publicly funded research should be released openly. | SSC, MoJ, DIA and Stats NZ to consider this feedback in implementation of their commitments and/or in wider work programmes. |
| **Commitment 8 : Review of Government use of Algorithms** | | |
| TINZ | Engagement of community groups in the algorithm review should be clearly identified.<br><br>A framework of risk management should be established to ensure appropriate use of algorithms. | Stats NZ to consider this comment when implementing the commitment. |
| Jan Rivers (Personal capacity) | A good result of this commitment would substantially help to rebuild trust in government. The commitment to take it into the next planning period updated based on progress is a good initiative.<br><br>The next step will be an ongoing appraisal mechanism where a civil society group, associated perhaps with the Privacy Commissioner, can be part of the ongoing assessment of new uses of algorithms.<br><br>NZ should use technology to make quality decisions when we can be sure that the technology does not red-line people in or out of services based on criteria that may be discriminatory or wrong.<br><br>Some of the work around risk and health could be really useful for selecting people at risk of adverse health outcomes | Stats NZ appreciates the support for this commitment.<br><br>The balance of the comments may be useful inputs to the next stages of this work and/or to the public engagement process to develop the next Plan. |
| Kay Jones | Yes to Algorithm Review, and to working with Open Source community on ensuring that algorithms are clear and transparent.  If proposed algorithms can't be shared publicly and understood by at least three people outside government agency, should they be used?  Overseas experience suggests no, not if Government wants to build trust in its digital processes.  Expert advisory panels may help. https://algorithmwatch.org/en/eu-high-level-expert-group-on-artificial-intelligence/   and https://euagenda.eu/upload/publications/untitled-147316-ea.pdf How Policymakers Can Foster Algorithmic Accountability - By Joshua New and Daniel Castro \| May 21, 2018 Recommends that collaboration [on the next steps for assurance of use of algorithms] include private sector associations and companies, including InternetNZ, NZRise, ITP NZ, and NZFOSS (NZ Free and Open Source Software society). | Stats NZ appreciates the support for this commitment and will consider these suggestions when implementing this commitment. |
| **Commitment 9 : Increase the visibility of government's data stewardship practices** | | |
| TINZ | Period of 'engagement with citizens on data stewardship' should be extended to allow a generous actual-consultation period, beyond typical tight timings sometimes offered.<br><br>The 'engage with citizens and government' intention should be made "periodically on-going", rather than a one-off activity currently indicated. | Stats NZ has acknowledged this feedback and has extended the timeframes for this commitment's milestones to enable more effective consultation. |

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| Author | Summary of Comments | Response |
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| Kay Jones | Increase visibility and active discussions, especially with guardians of Māori Data Sovereignty https://www.temanararaunga.maori.nz/<br><br>Increase education and awareness of data and information for all New Zealanders.  What is personal information, and what are their rights?  What is Open data?  What is Shared data and who can see it?  This information should be added to formal education programmes and be made readily available in entertaining formats.<br><br>An additional area where action is needed is to strengthen the Privacy Bill with closer alignment with the EU's GDPR General Data Protection Regulation.  New Zealand currently has EU adequacy status with respect to our privacy and personal laws, this is reviewed on an annual basis and it could be revoked if New Zealand practice slips too far behind that in the EU. | Stats NZ is:<br>• partnering with iwi and Māori communities and organisations to ensure data stewardship practices include te ao Māori and Treaty perspectives<br><br>• enhancing data.govt.nz to provide more information about data, including open and shared data. |

## Commitment 10 : Monitoring the effectiveness of public body information management practices

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| steveglassey | The Chief Archivist should conduct periodic inspections of government departments to ensure compliance with the Public Records Act. | This suggestion is within the scope of Commitment 10 in the draft Plan and it will inform work by Archives New Zealand (Archives) on the commitment. |
| TINZ | Recommends this data being available for Application Programming Interface (API) for commercial or mass use. | Archives confirms that results datasets will be available as open data for use and reuse. |
| Johnathon Hunt | Government needs to treat data as infrastructure, especially previously public data such as URIs.<br><br>The first milestone in commitment 10 should specifically address the incidence of "link-rot" or HTTP 404 Page not found errors on government websites. So much government material is published online, but page not found errors are rife; it seems every time an agency changes content management system they allow all the page URIs to break, instead of providing HTTP redirects. Citizens often have to resort to archive.org to find missing content. | Archives confirms that accessibility of the public record is one of the criteria that will be monitored, but initial monitoring will be at a more aggregated level than suggested.<br><br>More granular monitoring including maintenance of access through urls, will need to be a future initiative. |
| Kay Jones | Yes! | Thank you for your support. |

## Commitment 11 : Authoritative dataset of government organisations as open data for greater transparency

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| Jan Rivers (Personal capacity) | This commitment could be made more ambitious.  Archives NZ has a full dataset of government agencies as part of the information it has to describe archival material and contains metadata on previous agencies and the movement of functions between agencies over time.  This should be used to support the project otherwise it would create a duplicate dataset and prevent it from ever being able to track agency changes over time. | DIA recognises that duplication exists and there is no cross-agency maintained authoritative source dataset/register of all government organisations for New Zealand.<br><br>DIA will contact and engage agencies (including Archives) that hold similar datasets to work through the process of getting agreement for a common standard and ongoing maintenance for such a dataset.<br><br>In the context of the upcoming State Sector Reform DIA intends to ensure that the data standard that is agreed is able to account for changes in structure over time. There is precedent for how to do this and open standards to implement this. |
| Johnathon Hunt | I endorse this commitment and suggest it be expanded to include wider government spending, not just GETS contracts. NZ's ranking on the Open Data Barometer is detrimentally affected by the lack of transparency of budget expenditure.<br><br>See https://opendatabarometer.org/country-/?_year=2017&indicator=ODB&detail=NZL  column re "Detailed data on government spend. | DIA appreciates your support for this commitment.<br><br>The proposed dataset and standard used will be able to be extended over time. Once the initial set is in place and well-maintained this will act as a foundational dataset layer to which other datasets could be overlaid in due course. |
| Kay Jones | More open sharing about open data sets, supported. More data sets that are actually open data in format released and curated. Many data set links are curated but not the data sets themselves.  Some data sets are neither truly open nor usable, they're not checked or accurate.<br><br>There should also be more resource information on where to start, what can be done, and examples. I have visited https://data.govt.nz/  but only searched for particular sets rather than making greater use of the resource. Few people are trained in using data sets and manipulating formats.  Without Data 101 resources and guides to using the site and the datasets, the site presents a wasted opportunity for the general public. | DIA appreciates your support for this commitment.<br><br>DIA is partnering with Stats NZ (the lead on learning and guidance around data on data.govt.nz).<br><br>The final milestone for this commitment will include showcasing how a foundational government dataset can be used and seeking active projects to make use of the new, authoritative and maintained machine readable dataset. |

## Commitment 12 : Open Procurement

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| Andrew Ecclestone | This draft commitment ignores the work taking place internationally on open procurement, no mention of the Open Contracting Partnership and its existing standard for publication of information about contracts awarded by government.<br><br>The commitment should be amended to explicitly refer to reviewing and taking into consideration the Open Contracting Partnership standards.<br><br>The first part of the draft commitment should also explicitly refer to a public consultation exercise, not merely 'design with the public', which could easily be interpreted to mean 'consult with our selected stakeholders'. If the Government means 'consult with the public', it should say so in the commitment. | MBIE will:<br><br>• use the Open Contracting Data Standard to inform the work supporting this commitment<br>• report on how it has used the Standard and how it intends to engage with the public in its reporting on progress with the commitment. |

## SUMMARY OF COMMENTS ON THE DRAFT NATIONAL ACTION PLAN 2018-20

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| **3. Other comments – new ideas, plus other suggestions that are not directly relevant to open government** | | |
| JHilario | Increase local government accountability so that it matches the degree of accountability of central government | This idea was not included in the initial public engagement process to develop this Plan. It may be relevant for consideration in other work programmes or during development of the next plan. Referred to DIA. |
| RobTScot | Make it a requirement that bodies which impose infringement fees give a minimum of one month to comply | Outside the scope of open government. Referred to MoJ. |
| steveglassey | A metric to track misconduct and complaint satisfaction by agencies is needed (a star rating system). | This idea was not included in the initial public engagement process to develop this Plan. It may be relevant for consideration in other work programmes or during development of the next plan. Referred to SSC. |
| steveglassey | All public servants and contractors to be trained to understanding the democratic instruments within government including OIA, Public Records Act, Code of Conduct, Privacy Act, freedom of the press, academic freedom, freedom of speech, human rights etc. | Referred to SSC for consideration. Similar suggestions were made in the initial public engagement process to develop this Plan. |
| connemaranz | Refocus MPI on its biosecurity and animal welfare responsibilities. | Outside the scope of open government. Referred to SSC. |
| phughes | All land ownership beneficial interests are public | The issue of a register of beneficial ownership of companies and trusts was raised and is the subject of a public consultation process being led out of MBIE. Referred to LINZ (responsible for the land tenure system). |
| alanwilliampreston | Provide a clear definition of Ministers responsibilities and obligations so the public can be clear about the expectations they can have of Ministers. | This idea was not included in the initial public engagement process to develop this Plan. It may be relevant for consideration in other work programmes or during development of the next plan. Referred to MoJ/Crown Law Office. |
| Kay Jones | **Census**<br><br>The switch to an Online Census with limited access to paper Census forms saw a decrease in participation. Part of this would have been due to the Digital Divide. People without secure housing or access to a computer had limited ability to participate. For some people, completion of the online Census could be done only by giving incorrect information, e.g. in respect of self identified gender.<br><br>There needs to be more assistance provided to people and more open box options where the answer to a question is more complicated. Support from Community Hubs or mobile assistants is one way to help with the Census process. Co-designing forms with sensitive or marginalised populations including disabled people and LGBTIQ+ (or "Rainbow") people would also help. Gender is more than M or F options. | Stats NZ is undertaking an independent review of the 2018 Census to understand what factors contributed to the lower-than-expected participation rate.<br><br>https://www.stats.govt.nz/news/independent-reviewers-of-2018-census-appointed<br><br>The census forms were designed and tested to ensure they were easy to use and would result in good quality data and meet information needs<br>https://www.stats.govt.nz/methods/2018-census-design-of-forms |
| | **Community Hubs**<br><br>Establish joint agency Community Hubs with free Wifi and computer terminals with government staff to act as navigators and assistants for Government services. Computers could have limited internet access set to government agency sites and be used for interactions with agencies. Staff could help with assistance where required especially for older or disabled users. Such Hubs could be established in all cities and townships and more remote communities. Where communities lacked other private sector services such as banking, the Hub could negotiate limited services on third party representation basis.<br><br>It is important for building relationships and knowledge that staff be employed on a long term basis, at least initially. The ability to understand and relate to local issues will be paramount. A Community Hub in Otaki should include speakers of Te Reo Māori. A Community Hub in parts of Auckland should include Chinese language speakers. | Similar ideas were generated in the initial public engagement process; they were not progressed for this Plan and may be relevant for other work programmes or consideration during development of the next Plan. Referred to DIA. |
| | **Diversity And Cultural Communities**<br><br>At a government agency level, more needs to be done to accept and include diversity. EEO (Equal Employment Opportunities) policies are a start but welcoming diversity needs more than agreement not to discriminate against individuals. Should include visible role modelling, sharing of success stories, information about inclusiveness and about accessibility of physical and digital spaces. Each public building should have an accessible toilet and information about its location available to visitors and staff. Where this does not yet exist, plans for improvements should be encouraged with advice from the Office of Disability Issues, and other population agencies (Ministry for Women, TPK, Ministry of Pacific Peoples, and Office of Ethnic Communities) | Noted. Referred to SSC.<br><br>Diversity and inclusion are an important part of how Plan 2018-20 will be implemented. |

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| | and from relevant local advisors.  Rainbow inclusiveness can be shown by participation in and certification with the Rainbow Tick. | |
| | **Anti-Corruption Measures**<br><br>Protected Disclosures policies should be implemented throughout the state sector, possibly in association with State Sector Reforms, to provide a confidential channel for inquiries into inappropriate actions within agencies, and support for whistle-blowers if they need to be identified. | The Minister of State Services has announced a Review of the Protected Disclosures Act 2000. Comment has been sought on 5 options which include a combination of guidance and targeted improvements to the law that aim to:<br><br>• ensure a clear focus on the issues that pose the biggest threats to the public interest<br>• build strong foundations and encourage open organisational cultures<br>• set out clear definitions and rules to make the law easy to use and understand<br>• promote fairness by ensuring everyone is treated with respect throughout the process.<br>Referred to SSC. |
| | **WellBeing Indicators**<br><br>A  Living Standards Dashboard, Indicators Aotearoa New Zealand and a Wellbeing Budget in 2019 are all important, but they need to be framed in clear language so that the public understand.  Examples of why Wellbeing matters should also be included in public documentation.  An environment field officer may not think of WellBeing measures when reporting on the State of Rivers but that environmental measure may have an impact on WellBeing.<br><br>There are quantifiable economic harms from negative actions against WellBeing that are subject of reports by NGOs such as the Child Poverty Action Group and agencies such as the Ministry for Women and MSD.  What is the cost of domestic violence?  Of child abuse?  There are research findings on the gains from supporting Wellbeing too, such as the threefold gain back to the economy from spending on the public health sector (refer to The Body Economic: Why Austerity Kills by David Stuckler and Sanjay Basu.<br><br>These harms and benefits should be included in discussion documents and releases. | Referred to the Treasury and Stats NZ as they develop and implement respectively the Living Standards Dashboard and Indicators Aotearoa New Zealand. |
| | **School Toolkit**<br><br>Every young person should also have knowledge of their own body and sexual identity and have the knowledge and confidence to keep themselves safe and healthy.  ERO findings indicate that there is inconsistent and inadequate education on sexuality and gender identity.  This can have negative and longterm consequences for some students.  Support for students and professional development and resources for teachers are both needed. https://nzfvc.org.nz/news/ero-report-school-based-sexuality-education-finds-ongoing-inadequacies-and-inconsistency | Noted – the Ministry of Education has other work programmes underway focused on sexuality education. |
| Siobhan Leachman | The plan takes a narrow view of "access", it reads as if "access" is the ability to "see" the content held and generated by government.<br><br>The public needs to be able to reuse content and not just for innovation.<br><br>The ability to access and reuse content will assist and encourage public participation in policy development and the ability of the pubic to engage with official information (as defined in the Act).<br><br>At present, because of the inability of departments to work out the rights of the public when it comes to reusing content, the public are being hindered in engaging with official information and are being restricted in their ability to participate in policy development.<br><br>This structural failure in implementation by the government will hinder the aims of the Action Plan for Open Government.<br><br>I have had several instances where I have had difficulty obtaining access to and reusing content held or created by government departments and government funded institutions because of either they are not able, or their policies prevent,  facilitation of public access to, and reuse of, content created or held by them. I believe there are currently structural or resourcing failures which result in the public being unable to engage with information held or created by the government.<br><br>While the current Copyright Act may need to be amended or changed, it is not the current Act that hinders innovation. The policies and resources within government departments are hindering the public's access and ability reuse to information and content held and generated by the Government. While "GOAL" - the New Zealand Government Open Access and Licensing framework - has gone some way in encouraging departments to facilitate access and reuse, this framework doesn't go far enough (examples provided). | Referred to Stats NZ for consideration for the Open Data Action Plan.<br><br><br>OoC also confirmed that the Parliamentary Engagement Strategy recognises the need to move beyond communicating with the public to active engagement with the public to maintain its relevance. |

► **Submission to Open Government Partnership**

**Submitted via email, 17/10/18**

► **Contact Details**

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# ► About Us

**Volunteering New Zealand**

Volunteering New Zealand is the "voice of volunteering" in Aotearoa. Our vision is for a New Zealand that promotes, values and supports effective volunteering for the benefit of individuals and communities – and our mission is to promote, support and advocate for volunteering.

We are the only national organisation in New Zealand that focuses purely on volunteering. We hold the 'big picture' and are in a position to liaise, work with, and advise volunteers, government and business sectors. This helps ensure that volunteering occurs within a positive environment where it is encouraged and fostered.

Over the past 17 years, VNZ has raised the profile of volunteer groups, activities, and management. We promote volunteering and its value to New Zealand society through advocacy, sharing stories, and producing tools like the Best Practice Guidelines and Competencies for Managers of Volunteers.

We have a membership of over 80 national and regional member organisations that involve volunteers in their work programmes. Our membership organisations are typically associations or "peak bodies" that in turn represent a large number of local and regional volunteer involving organisations. We advocate on behalf of these organisations and for other groups that are not members but are aligned to our mission and values.

**New Zealand's Voluntary Sector**

New Zealand has 114,000 non-profit institutions (NPIs). NPIs contributed $5.96 billion to GDP in 2013, the last year this was calculated. This was 2.7 percent of New Zealand's total GDP. The same year, the value of (formal) voluntary labour in New Zealand's NPIs was estimated to be $3.46 billion. This is on a par with the construction industry and increases the contribution made by NPIs from 2.7 to 4.4 percent of GDP.[1]

The most up-to-date data on the volunteer sector states that in New Zealand there are more than 1.2 million volunteers who give more than 157 million hours of unpaid labour to the sector. 91% of New Zealand NPIs employ no staff, and rely solely on volunteers.[2]

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[1] Stats NZ, *Non-Profit Institutions Satellite Account: 2013* (Statistics New Zealand, 2015), 8.
[2] Ibid. 18, 20.

## 1.  INTRODUCTION: VOLUNTEERING, TRUST AND CIVIC PARTICIPATION

Volunteering New Zealand (VNZ) appreciates the opportunity to comment on the Open Government Partnership draft National Action Plan 2018-20.

The organisation of the Draft Plan is sensibly organised around three themes: participation in democracy; public participation to develop policy and services; and transparency and accountability. The most obvious entry point for volunteering is the first theme though clearly some overlap exists, given the extent to which advocacy work relies on volunteer labour.

Trust and participation work together. VNZ notes that, against a background of declining trust in government in many comparable countries, New Zealand continues to perform well in metrics such as low levels of corruption, the effectiveness of the public service, the transparency of central government's budgeting process, and the health of our courts and other democratic institutions. New Zealand remains a high trust culture, something that is essential to volunteering and explains our high rates of volunteer participation historically.

While it is possible to improve trust in individual institutions or government as a whole (indeed a large swing towards government favourability was recorded this year),[3] generalised trust is a more stable and fundamental value. There is evidence that generalised trust is tied to levels of wealth inequality,[4] something that has dramatically increased in New Zealand over the last forty years. Absent any conception of economic citizenship, the root causes of exclusion are unlikely to be addressed. The large gaps between the levels of trust currently reported by older and younger generations should prompt concern for future democratic participation since metrics such as voter turnout have already fallen sharply since the 1980s.[5]

The Plan's conception of democracy is largely limited to developing cultural competencies within the public service, making information more accessible and service design more collaborative. These are laudable goals but even within the Plan there are gaps between the rhetoric and the actuality. For example, the Plan notes that the parameters of public consultation are often set by government agencies themselves at an early stage in the process. Yet, this is exactly what has occurred with the proposed State Sector and Crown Entities Reform Bill, undercutting confidence that the reforms will deliver "meaningful change" as promised by the Minister.

Overall, the Plan could be more ambitious and specific. VNZ's feedback (which is somewhat limited by time constraints) points to two outside resources. The first document, *Bridges Both Ways*, proposes several big ideas that we believe would really leverage the power of volunteer labour and citizen decision-making. The second document, the *Civics and Media Project*, gives dozens of specific

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[3] A Colmar Brunton poll recorded a 17-point swing in the trust towards government doing "what is right for New Zealand" from 48% in 2016 to 65% in 2018. <https://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=12068414>

[4] Eric M. Uslander, "Trust as a Moral Value," Paper presented at the Social Capital: Interdisciplinary Perspectives conference, University of Exeter, UK, September, 2001.

[5] The same Colmar Brunton poll recorded a large gap in trust between young and old: "Of those aged 60 or older, 62 per cent reported a high level of trust generally in people, compared with 38 per cent high trust in the 18-29 year old group, and 44 per cent for those aged 30 to 59." <https://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=12068414>

suggestions, organised around the notion that civics and media are inseparable elements of democratic participation.

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## 2.   BRIDGES BOTH WAYS

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In 2017, Max Rashbrooke of Victoria University's Institute for Governance and Policy Studies produced a paper entitled *Bridges Both Ways*.[6] VNZ endorses the five key ideas contained in *Bridges Both Ways*, each of which brings together the spirit of volunteering with citizen decision-making. Rather than serving as an adjunct to parliamentary or council process, each idea turns decision-making over to ordinary citizens in a way that represents a genuine renewal of governance. Respectfully, in VNZ's estimation, the five ideas outlined in *Bridges Both Ways* have a much greater chance of meeting the stated goals of the Draft Plan: namely, for people to understand, feel ownership, connect and engage with government.

### 1. Crowdsourced Bills

Copying successful models overseas, the public could be allowed to submit proposals for bills via a secure online platform, giving detailed reasons and evidence to support their proposed law. Those receiving enough signatures - over 35,000, say - would have to be debated and voted on by Parliament, having first gone through the Office of the Clerk to be drafted and improved. This would open up law-making to direct public involvement, while retaining vital checks and balances.

### 2. Participatory Budgeting

Locals councils could set aside 10 per cent (or more) of their annual budget to be decided directly by citizens, again building on successful models overseas. Councils would work with residents throughout the year, holding multiple meetings at neighbourhood and ward level, as a build-up to a major end-of-year meeting in which residents would vote on how to allocate the funds. Such processes are increasingly used overseas, and have proved highly effective in engaging citizens.

### 3. A Public Opinion Budget

At the start of each year a group of representatively chosen citizens, advised by experts, could draw up a rough Budget, indicating areas of funding priority - such as whether they want to see more or less spending in broadly defined categories such as health, education and defence - and what tax increases or reductions would be needed in consequence. This would help inform official Budget diverges from citizen' expressed preferences.

### 4. A Kōrero Politics Day

Around two to three months before every general election, there could be a public holiday dedicated to discussing politics and the upcoming vote. This 'Kōrero Politics' Day would be marked by community events, town hall meetings, festivals that combine music and politics, and other gatherings designed to foster discussion. This would underline the importance of politics, give people time and space to think about issues, and encourage a more reflective citizenship.

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[6] https://www.victoria.ac.nz/__data/assets/pdf_file/0006/1175244/WP17-04-Bridges-Both-ways-for-Print.pdf

### 5. Democratising Party Funding

To improve the integrity of political party funding, donations could be capped at $1,500 per person per years, as is done in Canada. The shortfall could then be made up with democratic public funding: a $20 'electoral funding voucher' giving every citizen a small amount of money to give to the political party of their choice, once every electoral cycle. This could create a strong incentive for parties to engage with the public, while spreading influence more widely.

## 3.   THE CIVICS AND MEDIA PROJECT

In 2015, the *Civics and Media Project*, a non-partisan cross-institutional initiative, held three workshops, the proceeds of which are published on the McGuiness Institute website.[7]

Roughly fifty different ideas on how to improve civics and media in New Zealand were generated in the course of the discussion. It is notable that some of the ideas from the Project are now under consideration by Ministers while others are contained the Draft Plan. VNZ does not endorse every idea but we do think that this document contains a more thorough-going examination of the issues.

In the first instance, a contemporary understanding of civics cannot be divided from a discussion of media ecology. While increased funding for public media is most welcome, the root causes of the media's financial weakness should be examined. The reasons for this are complex: technological disruption certainly but also media deregulation, anti-trust enforcement, problems of scale in a small media market and the cultural devaluation of quality journalism in what is, ostensibly, an information age.

Secondly, civics cannot be divided from media literacy. This is a topic that has become even more urgent since 2015 with the realisation that election campaigns are now "hackable" social media events. Absent strong media literacy skills, students are more likely to be vulnerable to filter bubbles and disinformation. While social media is invaluable in terms of its capacity to mobilise interest groups and facilitate self-expression among diverse groups, consideration should be given to how the long-term health consequences of social media usage (anxiety, poor sleep habits, negative body image) can be mitigated through education.

Thirdly, civics should be citizen-centric rather than centred around Parliament. Though the Draft Plan acknowledges that improvements can always be made, it has never been easier to learn about Parliamentary processes, access official records or watch video of Parliament sitting. Many of the suggestions in the Draft Plan seem to suggest that closing this information gap is an end in itself.  Yet the latest Electoral Commission report cited lack of interest, not lack of information, as the main determining factor for non-voters.[8] Before bringing Parliament to the people, government needs firstly to address the reasons why large sections of the population feel excluded from their peers.

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[7] http://www.mcguinnessinstitute.org/wp-content/uploads/2017/02/20170227-Civics-and-Media-Booklet-WEB.pdf

[8] https://www.elections.org.nz/sites/default/files/plain-page/attachments/report_of_the_2017_general_election.pdf

Finally, civics education should not be given over to a dry discussion of "legal, political and constitutional topics" as the Draft Plan seems to suggest (this was in reference to the proposed School Leaver's Toolkit). While students should of course acquire a basic understanding of the political system, the oppositional political culture that is built into the structure of Parliament is off-putting to many people. By contrast, a political culture that emphasises participation over bureaucracy, demonstrating how like-minded people can collectively affect change, has a greater chance of engaging younger voters. At the same time, participation builds human and social capital. VNZ notes that this division between formal process and active participation is acknowledged in the Ministry's own information release on the School Leaver's Toolkit from May 2018 but it is posed as an unresolved question rather than a specific solution.

Aotearoa has a strong civil society, much of it built upon volunteer labour. Youth participation in charity work, formal volunteering and cultural groups is also high by international standards, although the uneven distribution again points to persistently high levels of inequality. In our vision of civics and media education, the government could support genuine civic engagement by creating a space for students to take up formal volunteering opportunities or advocate for causes through citizen journalism. Students could create their own groups, document their development and publish the results of their collaborative efforts. Furthermore, these initiatives could also be joined up with the kinds of initiatives imagined in *Bridges Both Ways*.

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