



OGP Public Engagement for NZ's Fourth National Action Plan - Update

Date: 5 February 2021 **Security Level:** **IN CONFIDENCE**

Report No: 2021/0006

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	Actions Sought	Due Date
Hon Chris Hipkins, Minister for the Public Service	Note the contents of this Report	12 February 2021

Enclosure: Yes

Minister's Office Comments

Comments:	
Date returned to Te Kawa Mataaho:	

Executive Summary

- 1 The process for developing New Zealand's Open Government Partnership (OGP) 4th National Action Plan (NAP4) is accelerating, with public engagement planned in February – April 2021. Copies of engagement collateral are included in this pack.
- 2 Te Kawa Mataaho invites you to prepare a short video announcing public engagement for OGP NAP4 and your ambition for this National Action Plan.

Recommended Action

We recommend that you:

- a **note** the contents of this Report.

Noted

- b **note** that Te Kawa Mataaho invites you to announce, via a short video, the commencement of public engagement for the development of New Zealand's fourth National Action Plan

Noted

- c **note** the Expert Advisory Panel has requested a meeting with you during the NAP4 engagement period

Noted

- d **agree** to record a short video announcing public engagement for OGP NAP4

Agree/disagree.

- e **agree** that Te Kawa Mataaho release this briefing once it has been considered by you.

Agree/disagree.

Hon Chris Hipkins
Minister for the Public Service

OGP Public Engagement for NZ's Fourth National Action Plan - Update

Purpose of Report

- 3 This Report:
- updates you on the public facing process to develop the 4th National Action Plan (NAP4)
 - Invites you to make a press release and prepare a short video message to announce public engagement for NAP4.

Background

- 4 The Open Government Partnership (OGP) is an international partnership made up of governments (78 national governments), civil society, business and not for profits. Broadly its purpose is to improve transparency, civic participation and accountability. New Zealand became a member in 2013.
- 5 Membership of the OGP carries with it the obligations to:
- develop and implement a National Action Plan (NAP) every two years
 - establish a multi-stakeholder forum including both government and civil society representatives to enable regular multi-stakeholder consultation on OGP matters.
- 6 A NAP is a set of projects (called Commitments) that aim to deliver open government objectives over a two-year period. OGP requirements call for the Plan to be developed collaboratively with civil society. Ideally, the Plans are also implemented collaboratively.
- 7 We are currently implementing our 3rd NAP (the completion date of which was extended from June 2020 to June 2021, at the invitation of the OGP Steering Committee, in light of the Covid-19 pandemic). The 3rd Plan comprises 12 Commitments grouped into the three themes (*participation in democracy, public participation to develop policy and services, transparency and accountability*).
- 8 Against the current Plan three commitments have been completed in full; 24 of 50 milestones have been completed, 22 milestones are on track, 3 milestones are reporting delay, but are expected to be completed by the time the Plan concludes.
- 9 One milestone of significance, Commitment 7, relates to the review of the OIA and this is expected to be delayed. On 29 January 2021, Stuff News reported that a spokesperson for Minister Faafoi indicated that the review of the Official Information Act will occur later in this parliamentary term. The OIA was widely commented on during NAP3 engagement and news of the delay is unlikely to be well received, particularly with respect to Milestone 1 of Commitment 7, which involved providing and publishing advice to Government on the merits of undertaking a review of the OIA. Government received this advice in September 2019, but the advice has not yet been publicly released as a review was still being considered and the information needed to be withheld under the OIA to protect the confidentiality of the advice provided to Ministers. We anticipate that OIA advocates will raise this during NAP4 public engagement. The Office of the Minister of Justice is now considering whether the advice should be proactively released given that a review will not be considered until later in the parliamentary term.
- 10 New Zealand has pursued a strategy of continuous improvement in terms of both the engagement process and the ambition of the Commitments. You have expressed your expectation that the next Plan will be more ambitious with an emphasis on active citizenship.

- 11 New Zealand has evolved a customised version of a multi-stakeholder forum, including both an Expert Advisory Panel (EAP) made up of civil society representatives, and an Officials Group made up of representatives of agencies that are implementing Commitments. The two groups are increasingly working together and building deeper relationships.
- 12 You met with the EAP in July 2020. We will work with your office to arrange a follow-up meeting during the NAP4 engagement period.

Getting ready to launch public engagement for NAP4

- 13 As we prepare for public engagement to develop NZ’s 4th NAP, we are making decisions about “what, how and who”. We collaborated with our EAP to develop the document *Open Government in New Zealand: What it is, and why it matters* as an anchor document for public engagement. See **Appendix 1**.
- 14 We will commence online public engagement, via Delib Dialogue, on 15 February 2021. In parallel, we will engage with communities in workshops and hui to give New Zealanders the opportunity to express their perspectives on the shape of future open government initiatives.
- 15 High-level plan:

Jan - Feb 2021	Feb – Mar 2021	Apr – May 2021	June-Aug 2021
Finalise engagement collateral	Hold concurrent online and in-person challenges on the updated themes for NAP4 (see below)	Commitment generation and drafting NAP4	Cabinet process, formal consultation and submission of NAP4 to OGP by 31 August
Plan online challenges and in-person workshops	Outreach via stakeholder groups’ own events	Agencies will lead this work with stakeholder groups and develop commitments collaboratively	

- 16 We invite you to prepare a short video (approximately 30-60 seconds) that communicates your ambitions for open government, OGP NAP4 and active citizenship. Suggested talking points are attached as **Appendix 2**.
- 17 We invite you to make a press release announcing public engagement on 15 February. A draft press release is attached in **Appendix 3**.

What: Themes and Questions

- 18 In considering with EAP what themes to use this cycle, we kept returning to what is contained in NAP3. Therefore, we intend to build on the themes from the last NAP, while also drawing on the purpose, principles and values of the Public Service Act 2020.
- 19 The reworded themes are:
 - active citizenship and partnership
 - responsiveness
 - transparency and accountability.
- 20 The way we talk about these themes is important. We’ve worked with the EAP, a cross-section of Te Kawa Mataaho staff and learned from Canada’s experience, to develop a set of framing / deliberative

questions to enable a public conversation. These are called “Challenges”. We aim to encourage participants to hold conversations about ideas currently underway or previously suggested, and to suggest new ideas that others engage with.

- 21 Challenges are the main focus of deliberative dialogue, online and in workshops. This is the space to grab people's attention to encourage them to submit great ideas. When we lay out a challenge, we are asking for help from the audience to respond to a problem. It's important to explain the challenge clearly and make it as easy as possible for people to respond to. See **Appendix 4** for draft challenges.
- 22 Each challenge contains background about existing commitments in NAP3 and the range of ideas collected during that public engagement. This time, we are asking New Zealanders to consider each theme in light of their experience and the situations they have observed, responding to these questions:
 - What do you think would encourage more [theme] in New Zealand?
 - Who should be involved?
 - How would that make a difference to you and others?
 - What have you heard friends and family members, or others, talking about when it comes to this topic?
- 23 We have tested these questions with small groups, iterating and adapting the challenges based on feedback, and when necessary for different engagement activities and audiences.
- 24 We anticipate holding 3 x 1 week challenges (one per theme), with a break to synthesise conversations; then a further series of challenges that build on the previous rounds of engagement, incorporating what we hear through other channels, such as face-to-face and social media.

How: Public Engagement

- 25 We received useful feedback from stakeholders involved in the development of NAP3 and have held extensive discussions with our EAP throughout 2020. This cycle, we plan to maintain what worked in NAP3 and take on feedback to continually improve.
- 26 Building on what was learned from NAP3, we will conduct a combination of in-person workshops and digital engagement via Delib Dialogue. We are working with community groups, government agencies and open government practitioners to hold workshops in main centres and regional areas throughout the public engagement period.
- 27 The EAP, interested open government practitioners, NGOs and other influencers are supporting the amplification of messaging around public engagement for NAP4 via social media and direct networks. Former Prime Minister Helen Clark is an OGP Ambassador and there may be an opportunity for her to play a role in encouraging public participation in NAP4, e.g. through her social media channels. Should you wish to explore this further, we can provide further advice.
- 28 We learned from the Government of Scotland's experience with the Delib tool in undertaking a conversation with its citizens on their response to Covid-19. They decided to be focused, quick, and live – resource intensive but worth it – and held a series of seven-day challenges, supported by wide communication, including a press release from their Chief Minister.
- 29 Utilising what we have learned from colleagues in Scotland and from Delib expertise, we will use Delib moderation functionality so that the conversation takes place in a safe online environment. Scotland

decided early to have a pre-moderation model, where comments are required to be approved for publication. They ensured this was transparently explained in their moderation guidelines.

- 30 Consistent with Scotland's approach, recent Department of Internal Affairs digital engagement approaches, and the NZ Parliament moderation policy, we will use a pre-moderation approach, so that comments are screened before posting and objectionable content is prohibited. We will include detailed moderation terms and conditions so that participants are clear on the process being used, including the times of day during which moderation will occur, and the related time targets for approval. (We will endeavour to approve eligible posts within two hours of submission during the hours of moderation. However, it may be longer during busier periods, and will be as soon as practicable for comments posted outside moderation hours.)
- 31 Along with other governments, including Scotland, Finland and Iceland, we find the two-year time frame of NAPs to be restrictive and constraining. We are proposing, as others have done, to consider Commitments that have a longer (up to four years) timeframe that intentionally enables active management, responding to evolving contexts and action learning, in pursuit of stronger outcomes over that period.

Who

- 32 In collaboration with EAP and community groups, we aim for NAP4 engagement that will foster continuing conversations on open government and active citizenship with a range of New Zealanders. We are working with community groups to amplify messaging about NAP4 engagement through their networks. There is an opportunity to have a national conversation around active citizenship. This conversation may start with NAP4, but it need not stop once the next Plan is submitted.

Next Steps

- 28 We will update you further as NAP4 Commitments are being formed.
- 29 We will work with your office to organise a follow-up meeting between yourself and the OGP EAP.

Appendix 1



Open Government in Aotearoa New Zealand: What it is, and why it matters

Building a more open and responsive Public Service and increasing New Zealanders' participation in democracy

Open government is about **strengthening democracy, building trust, and improving wellbeing** by ensuring people can contribute and influence what government does, and how it does it.

The Public Service delivers government services across Aotearoa New Zealand. The way that policies are developed and how services are designed impacts on every New Zealander in some way.

The Public Service Act 2020 enshrines the concepts of **active citizenship, open government, responsiveness** (understanding and meeting the needs and aspirations of New Zealanders) and **stewardship** (thinking about making a difference in the long-term). The Act expects the Public Service to support the Government in its relationships with Māori under **Te Tiriti o Waitangi | The Treaty of Waitangi** through the way we engage with Māori and understand and respond to Māori perspectives. The Act also affirms the **spirit of service** to the community that public servants bring to their work.

While New Zealand is consistently among the top countries in global measures of integrity, including the wellbeing of citizens, openness, transparency, the rule of law and preventing corruption, we have more to do.

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.

The commitments we make in our **fourth National Action Plan** will build on New Zealand's long and proud tradition of open and transparent government, and support our Public Service to foster active citizenship and open government.

“Active citizenship means people getting involved in their local communities and democracy at all levels, from towns to cities to nationwide activity. Active citizenship can be as small as a campaign to clean up your street or as big as educating young people about democratic values, skills and participation. Active citizenship is one of the most important steps towards healthy societies.”

Andrej Nosko & Katalin Széger
Active Citizenship Can Change Your Country for the Better (2013)

What is Aotearoa New Zealand doing to improve the openness of government?

Aotearoa New Zealand already has government institutions with high levels of trust. But around the world we are seeing levels of trust in government in decline in many countries. That's why it is so important that we continue to meet the expectations of New Zealanders and maintain that trust.

One way of doing this is using the **Open Government Partnership**.

The OGP is an international programme with 78 member nations which aim to improve transparency, increase public participation and use new technologies to make governments more accountable, responsive and inclusive.

The Aotearoa New Zealand Government has been a member of the OGP since 2013. We are currently developing our **4th OGP National Action Plan**, to start in mid-2021. This process is led by Te Kawa Mataaho Public Service Commission on behalf of the Government.

Developing a new National Plan provides an opportunity to work with communities and civil society to find new ways to work with New Zealanders to improve wellbeing while also creating a better understanding of what our government institutions do and how it they do it.

The goal is to create this plan with New Zealanders. We want to practise whakawhanaungatanga, valuing the wisdom and experience of the diverse people and communities of Aotearoa New Zealand.

“An effective Open Government Partnership promotes accountable, responsive and inclusive governance. Transparency International New Zealand expects the New Zealand government to make aspirational OGP commitments that will drive integrity and transparency through increased citizen engagement. These are essential to the development and implementation of a significant 4th National Action Plan.”

Transparency International
New Zealand

What does OGP and open government mean for me?

For **New Zealanders** - this is an opportunity for you to participate in creating a strong new National Action Plan. An effective National Action Plan is one where, working together, New Zealanders develop commitments that further the OGP goals of strengthening democracy, building trust, and improving wellbeing.

For **communities and community groups within Aotearoa New Zealand** - we invite you to share your wisdom, thoughts, experiences, challenges and aspirations to create a strong Plan. This is a chance to represent your communities, help remove barriers, start conversations and keep them alive, and deliver and contribute to change.

For **public servants, local government and government agencies** - we want you to work with and better connect with the communities you serve, share knowledge, learn from new and diverse voices, and explore innovative ways to work together now and in the future.

“I took so much away from the experience and made me realise how important youth are for New Zealand in the future. This was certainly important for me to meet a diverse range of people.”

Youth Parliament 2019 participant,
Commitment 2,
NZ National Action Plan
2018–2020

Who do we want to hear from?

No two communities are the same. We want to create the opportunity for a wide range of community and individual voices to be heard.

No one knows communities as well as those who live in them. We encourage people to use their community connections and institutions to have locally led and focussed discussions and meetings – to form a “network of networks”. A connected community fosters engagement and inclusion and opens the door to participation.

The greater the diversity of who is involved, and the wider the conversations we have, the better we can develop a shared understanding of and respond to the challenges individuals and communities face, how their lives and wellbeing can be improved, and plot the course for improving outcomes.

“We all live in a place and every place has unique strengths, assets, contexts and wisdom. When we build on these, transformative change becomes possible. Understanding and activating all the resources in our places is key to enhancing social, economic, cultural and environmental wellbeing.”

Inspiring Communities,
Shaping the Future report

How can you get involved?

Mahi kotahitanga is about working together, sharing expertise, and co-operation. For that to work we need to come together or connect in a way that works for you: online, in person, individually or through your community groups – or other organisations that represent or work for New Zealanders.

Individuals: we invite you to join the conversation, share your experiences, talk to each other and us, and suggest areas for change and help to shape commitments. A diversity of voices is welcome and needed. There will be online and in-person opportunities to participate – it’s up to you to decide what works best for you.

Communities, local governments and agencies: we want to make contact, offer to start conversations, share your networks and knowledge, help New Zealanders understand what open government means for them, offer space at your events, and encourage your communities to engage with this process and build lasting relationships.

“You hear about big issues sometimes but what happens day to day in government, how do they arrive at big decisions like the Budget?”

“What is the best way to get a movement started, does it have to be a petition, what else?”

“If we understood the election process better we would have more motivation to use our voice.”

Youth workshop participants share what they want to know about government

Being a member of the OGP helps us **share knowledge and expertise and learn from the experience of others.**

“Open government thrives when people come together in dialogue and work to co-create and implement reforms that bring governments closer to their people.”

Sanjay Pradhan
Chief Executive Officer, Open Government Partnership

Appendix 2 – Draft speaking points for short video

Video title suggestion – *Open Government: Join the conversation*

- Mihi to begin.
- Open government is about strengthening democracy, building trust, and improving wellbeing. We want to hear how you think we're doing and how we could be better.
- We can see internationally what happens when levels of trust in government drop. New Zealand is fortunate to have relatively high levels of trust and confidence in government, but we can't be complacent.
- One way for us to continue to maintain that trust is through our membership of the global Open Government Partnership.
- This an agreement by governments to create more transparency and public participation in government – and to use new technologies to make governments more open and accountable.
- We are currently developing our next national action plan, which will set out the challenges we want to commit to over the next 2–4 years to enhance New Zealand's reputation for open and transparent government, and support our Public Service to foster active citizenship and open government.
- To do that – we need your input. We need to hear what matters to you.
- We want to hear from a diverse range of voices to develop a strong plan that best reflects our unique country.
- So I strongly encourage you to jump on the website <https://www.opengovpartnership.nz/> and have your say!

Appendix 4 – Draft Press Release

New Zealanders urged to join the open government conversation

Public Service Minister Chris Hipkins is urging New Zealanders to take part in a national conversation on open government in Aotearoa New Zealand which begins today.

Open Government Partnership New Zealand, which sits in Te Kawa Mataaho Public Service Commission, has launched an [online platform](#) for the public conversation on how we advance active citizenship and partnership, as well as the responsiveness and transparency of government in Aotearoa New Zealand.

Mr Hipkins says public participation in government is vital to healthy democracy.

“Open government is about strengthening democracy, building trust, and improving wellbeing. We want to hear how New Zealanders think we’re doing and how we could be better,” says Minister Hipkins.

“I strongly encourage anyone and everyone to join the conversation.”

New Zealand is a member of the Open Government Partnership, an agreement between 78 member nations to create more transparency and public participation in government – and to use new technologies to make governments more open and accountable.

Member nations complete a National Action Plan every two years. A National Action Plan is the product of engagement between government and citizens to develop new commitments.

“These Plans set commitments that are designed to bring about positive change for people in Aotearoa New Zealand,” says Mr Hipkins.

“This is an opportunity for members of the public to influence public policy and to improve the transparency of our government.”

Transparency International recently named New Zealand as perceived to be among the least corrupt countries in the world, along with Denmark.

“Levels of trust in government are relatively high in New Zealand, but we mustn’t take that for granted. It’s easy to see around the world what can happen when trust in government is low. Engaging with Open Government Partnership New Zealand is one way that we can ensure our government is transparent, responsive, and accountable.”

ENDS

Media queries: Minister’s Office

Hon. Dame Suzanne Snively, OGP Expert Advisory Panel, suzanne.snively@gmail.com, 021 925689

Appendix 4 – Deliberative challenges

2021 NAP4 Draft Challenge: Active Citizenship and Partnership

Definition:

“Active citizenship means people getting involved in their local communities and democracy at all levels, from towns to cities to nationwide activity. Active citizenship can be as small as a campaign to clean up your street or as big as educating young people about democratic values, skills and participation. Active citizenship is one of the most important steps towards healthy societies.”¹

Why?

We want to enable more people to be actively and regularly involved in our democracy and contribute to the change they want to see for their communities. We hope this will help New Zealanders have more opportunities to be heard, to co-create and influence policies and services that meet current and future community needs, build on Aotearoa New Zealand’s strengths and help shape our collective future.

Examples:

New Zealand has developed three OGP National Action Plans with commitments that seek to support and build active citizenship and public participation in democratic processes. For example, in [National Action Plan 3](#):

- **Commitments 1 & 2:** both aim to **improve public understanding of how Parliament works** and engage a greater number of people with its work. Commitment 2 was particularly focused on youth/rangatahi.
- **Commitment 3: School Leavers’ Toolkit:** a collection of resources that were created to better educate students about government, financial literacy, workplace skills and other practical topics. This helps young people feel more confident navigating life after school.

What have people said?

In 2018, we received about 50 ideas that expressed in various ways New Zealanders’ knowledge of our system of government and how they can participate. [National Action Plan 3](#) explains what happened to those ideas. People expressed a desire to be empowered to contribute to wider community life. Individuals and communities told us that they have provided input to government agencies, but because agencies were not well connected, information was not shared. This can result in a multitude of ‘consultations’ and ‘consultation overload’.

We want to hear from you:

In the context of future Open Government Partnership commitments, we are interested in building on work around active citizenship and public participation in democratic processes:

- What do you think would encourage more active citizenship and participation in New Zealand?
- Who should be involved?
- How would that make a difference to you and others?
- What have you heard friends and family members, or others, talking about when it comes to this topic?

¹ Andrej Nosko & Katalin Széger *Active Citizenship Can Change Your Country for the Better* (2013)

2021 NAP4 Draft Challenge: Responsiveness

Definition:

In the Public Service Act, responsiveness is described as what the public service does to understand and meet people's needs and aspirations, including how it works with New Zealanders when designing policies and services.

Why?

The Public Service delivers government services across NZ. The way that policies are developed and how services are designed impacts on every New Zealander in some way.

Examples:

New Zealand has developed three OGP National Action Plans with commitments to support greater responsiveness. For example, in [National Action Plan 3](#):

- **Commitment 5: Public participation in policy development** – aims to assist the New Zealand public sector to develop a deeper and more consistent understanding of what good engagement with the public means
- **Commitment 6: Service design** – aims to develop an assessment model to support implementation of the all-of-government [Digital Service Design Standard](#) by public sector agencies

What have people said?

In 2018 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. [National Action Plan 3](#) explains what happened to those ideas. Many ideas:

- 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
- suggested that the best way of doing this was to work with people at all stages of the policy and service design and improve communication of what government is doing.

We've heard there were much closer and more productive working relationships between government agencies and civil society partners during the COVID-19 response that worked better for people².

We want to hear from you:

In the context of future Open Government Partnership commitments, we are interested in building on the work we have been doing on public participation in policy development and service design:

- What do you think this public participation should look like?
- Who should be involved?
- How would that make a difference to you and others?
- What have you heard friends and family members, or others, talking about when it comes to this topic?

² "There were significant improvements in relationships with government and other funders as a result of the COVID-19 response. This included greater flexibility in contract requirements, faster and more responsive decision-making, and a sense of real partnership and being treated with respect." – ComVoices 2020 State of the Community and Voluntary Sector Survey Snapshot.

2021 NAP4 Draft Challenge: Transparency and Accountability

Definition:

Accountability means the government takes responsibility and answers for its work, actions, and decisions. Being open and transparent means that people can see or find out why the government does what it does. This gives people confidence that the government has made those decisions in a trustworthy way.

Why?

For people to understand how our system of government works, they need access to data and evidence that will inform government decisions. This allows for effective participation, improved understanding of the decision-making process, and increased trust.

Examples:

New Zealand has developed three OGP National Action Plans with commitments to support transparency and accountability. For example, in [National Action Plan 3](#):

- **Commitment 7 Official Information:** aims to improve the availability of government information by providing advice to the Government on whether to do a formal review of official information legislation to ensure it is fit for purpose; and progressively increasing the proactive release of official information.
- **Commitment 8 Review of government use of algorithms:** aims to increase the transparency and accountability of how government uses algorithms – automatic decision-making processes used by computer programmes – to identify patterns in data.
- **Commitment 9: Increase the visibility of government's data stewardship practices:** The government collects and uses data on behalf of New Zealanders and has a duty to ensure that it is used responsibly and ethically and protected. It is hoped that New Zealanders will better understand how government is doing this and be able to hold government to account.

What have people said?

In 2018 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, resource, and services easily - in whatever way works for them. There were concerns that information (and government publications generally) need to be written and accessible to the general public - not written in 'government speak'. [National Action Plan 3](#) explains what happened to those ideas.

We want to hear from you:

In the context of future Open Government Partnership commitments, we are interested in building on the work we have been doing on transparency & accountability:

- What would you like to see happening differently to encourage greater transparency & accountability?
- Who should be involved?
- How would that make a difference to you and others?
- What have you heard friends and family members, or others, talking about when it comes to this topic?