



19 April 2018

Dear [REDACTED]

Official information request for advice relating to the Open Government Strategy

Our ref: SSC2018/0038

I refer to your official information request received on 20 March 2018 for all briefings, draft briefings, and communications strategies relating to the open government strategy.

Information being withheld

There are two documents in the scope of your request, as identified below. The Open Government Strategy discussed in both documents remains under active consideration. We have therefore decided to withhold details of the Strategy under the following section of the OIA.

Item	Date	Document Description	Decision
1	29 November 2017	SSC Report: Open Government Strategy update	Released in part, with some information withheld under section 9(2)(a) to protect the privacy of a natural person, and 9(2)(f)(iv) to maintain the current constitutional conventions protecting the confidentiality of advice tendered by Ministers and officials.
2	13 March 2018	Open Government Strategy Pack	Released in part, with some information withheld under 9(2)(f)(iv) to maintain the current constitutional conventions protecting the confidentiality of advice tendered by Ministers and officials.

In making our decision, we have considered the public interest considerations in section 9(1) of the OIA and have determined that it does not outweigh the above reasons at this time in the process.

If you wish to discuss this decision with us, please feel free to contact Ministerial.Services@ssc.govt.nz.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please note that we intend to publish this letter (with your personal details removed) and the enclosed documents on the State Services Commission's website.

Yours sincerely

A handwritten signature in black ink, appearing to read 'CWilliams', with a long horizontal flourish extending to the right.

Catherine Williams
Acting Deputy Commissioner
State Services Commission



SSC Report: Open Government strategy update

Date:	29/11/2017	Report No:	SSC2017/689
Contact:	Catherine Williams, Acting Deputy Commissioner, Integrity, Ethics and Standards	Telephone:	9(2)(a) privacy

	Action Sought	Deadline
Associate Minister of State Services (Open Government) (Hon Clare Curran)	Provide feedback on the draft Open Government strategy Indicate whether you would like draft Open Government strategy consulted on with civil society at the same time as the development of the OGP National Plan 2018-20	7 December 2017
Minister of State Services (Hon Chris Hipkins)	Note the contents of this briefing	

Enclosure: Yes (attached)

Executive Summary

- 1 The paper seeks your feedback on the State Services Commission's (SSC) thinking on a strategic approach to Open Government.
- 2 We would like the opportunity to discuss with you over the coming meetings as we develop it further.

Recommended Action

We recommend that you:

- a **provide** feedback on the draft Open Government strategy (attached Annex 1)
Yes/no
- b **indicate** whether you would like draft Open Government strategy consulted on with civil society at the same time as the development of the OGP National Plan 2018-20
Yes/no

Hon Clare Curran
Associate Minister of State Services

Purpose of Report

- 3 The paper seeks your feedback on the SSC's early thinking on a strategic approach to Open Government.

A strategic approach to Open Government

- 4 You are already aware of the importance of Open Government. Democracies thrive when citizens trust and participate in their government.

Draft strategy

- 5 9(2)(f)(iv) confidentiality of advice
[Redacted]
- 7 The openness agenda sits alongside other underpinnings of public trust and confidence in government such as privacy, obligations of confidence and security. An open government strategy supports us to consider such matters in relation to the overall objective of greater trust and confidence in government and its institutions.
- 8 We have developed this draft strategy with support of your delegation to lead to the development of an Open Government strategy and the next OGP National Action Plan 2018-20 in mind. The OGP National Action Plan consultation would give us an opportunity to engage with New Zealanders on the overall strategic direction as well as the initiatives making up the plan.
- 9 The draft strategy is attached in Annex 1.

Next steps

- 10 9(2)(f)(iv) confidentiality of advice
[Redacted]

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

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WHAT ARE PEOPLE IN NEW ZEALAND SAYING ABOUT OPEN GOVERNMENT

This page sets out some common themes on what people are saying about Open Government in New Zealand.

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WHAT COMMENTATORS ARE SAYING ABOUT OPEN GOVERNMENT

- **Access to Information**
Require open data as the default (Professor Andrew Geddis)
"Advances...mostly relate to access to data, not public engagement or participation" (Keitha Booth, at the Open Budget forum)
"The mass data mining of NZ public is not about open government...SSC should not use OGP as a Trojan horse for it" (Professor Andrew Geddis)

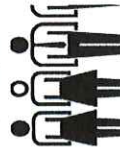
- **Transparency of Process**
Introduce a Committee for Standards in Public Life, which monitors and reports on issues relating to the standards of conduct of all public office holders (Dr Michael Macaulay)
Introduce independent budget appraisals (Max Rashbrooke)
Overhaul Parliament's processes – conduct a comprehensive inquiry to improve process should cover policy formation, consultation, drafting, parliamentary scrutiny and evaluation of whether the purposes of legislation are being met (Public Service Association)
"There is a profound ignorance of how the country is governed. The problem is exacerbated by the breakdown of the traditional media" (Sir Geoffrey Palmer)
"NZ's great strength is its anchoring in the Public Finance Act" (comment at the Open Budget forum)
"The absence of a code of conduct for NZ MPs is really astounding in this day and age" (Dr Michael Macaulay)
"The excessive use of urgency, the by-passing of select committees and the public submission process, undermines our democracy and fuels a growing distrust and disillusionment with politics." (Sue Kedgley)

- **Ability to Participate**
Focus on citizens as agents for positive community, including by using language people can understand (Mark Hanna)
Ensure that citizens are able to re-use open data (Professor Andrew Geddis)
Introduce crowd-sourced Bills online (Max Rashbrooke)
"Gaps in civics knowledge has created an empowerment gap, which in turn reinforces many of the inequalities we see in society today" (Todd Kriebel and Danijela Tavich)
"The biggest risk in NZ is complacency" (Transparency International)

WHAT NEW ZEALANDERS ARE SAYING ABOUT OPEN GOVERNMENT

These were the themes identified by New Zealanders as being important in SSC's consultation on the Open Government Action Plan 2016:

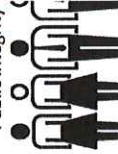
Civil society capacity and participation



Public resources



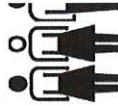
Public integrity



OIA



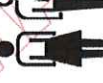
Open data



Ongoing engagement



Standards and culture around open data



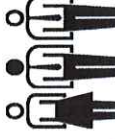
Fiscal transparency



Public service



Involving citizens in public policy and programme development



Transparency



DIA has recently run a Participatory Discovery Exercise, which surveyed New Zealanders on how digital can support participation in Government.

These were the five common themes from the workshops:

MEANINGFUL ENGAGEMENT

COLLABORATE

PROTECT PRIVACY

INCLUSIVE AND HUMAN

OPEN AND TRANSPARENT

These are some quotes from the workshops:

- "...I'm not going to walk into a public meeting or a politician's office - it's just not how I interact - but live chat (like Reddit or Facebook) would be a great platform."
- "I think it would be great if the government would approach policy-making from a design thinking perspective and make civic input a requirement."
- "...I like to be fully informed before making a decision... But I also find it very hard to become informed enough to understand a concept fully- especially when talking about politics."
- "I would need to feel safe in expressing my views. That my privacy was protected."
- "If you invest in the relationship with your community communications can happen at anytime."
- "Easy engagement for those that want it, more complex for those that want it."

OPEN GOVERNMENT INITIATIVES OVERSEAS

This page provides information on a sample of the most exciting Open Government initiatives taking place overseas.

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ESTONIA

Open Data Portal

Estonia's Open Data Portal (ODP) provides a single point of access for public and private entities to unrestricted public sector data. Permission is also given to re-use and redistribute the data for commercial and non-commercial purposes. Promoting transparency of public information, ODP also reduces the workload of public sector workers having to respond to official information requests.

Crowd-sourced Bills

Estonia has made bold moves in experimenting with modern methods of the decision-making process. The People's Assembly is a platform for crowdsourcing ideas to amend electoral laws. Three out of fifteen proposals sent to parliament via the online platform are now law.

URUGUAY

E-Government

Uruguay promotes the idea that citizens are the core of e-government strategies. Information about government services can be found through a centralised portal that extracts information from over 500 websites; there is an average of 100,000 visits a month. The portal does not duplicate or edit information. Information shown belongs to the respective agencies. This ensures information validity and agencies are responsible for updating their own information (maximum delay time 2 hours).

SOUTH KOREA

Online policy suggestion

The Republic of Korea has an online portal that allows people to quickly and easily provide suggestions on Government policy and processes. All Government departments are linked to this portal so that they can see feedback in real time. In addition, citizens can check the results online.

AUSTRALIA

Citizen juries

In Victoria, one hundred 'jurors' were drawn from a pool of 570,000 to provide a representative example. Over six weeks, they engaged in online deliberation in a facilitated forum. Seventy eight of the jurors then met in person over two days. The main objective of the two days was for the jurors to collectively produce a report on how to make it easier to eat more healthily.

MEXICO

Open markets

In 2016, Mexico passed a constitutional reform to create the National Anticorruption System. This reformed their legal framework and made a crucial change to promote active collaboration with civil society through the use of digital technologies and open data. This Standard has made open contracting a requirement for all federal procurement.

PORTUGAL

Citizens' Budget

In 2016, Portugal was the first country in the world to launch a nationwide Participatory Budget that allows civil society to propose and vote on ideas for public investments. Citizens were allowed to propose and vote on where the Government should spend €3.0 million of the national budget. The areas of focus were culture, science, agriculture and adult education and training (mainland), and justice and internal administration (autonomous regions). There were 599 projects nominated and almost 80,000 votes.

Citizen Spots

Citizen Spots are being used to tackle the digital divide and encourage the uptake of digital public services. Each Spot consists of a physical desk where citizens go to use a wide range of digital services, with the help of trained civil servants or private attendants.

FINLAND

Participatory democracy

Finland has developed an online platform where citizens can propose a bill. For those that get 1% of voters agreeing with them, then they have to be debated and voted on in Parliament.

CANADA

Limits to lobbying

Limits to lobbying - there is a donation limit to each registered party and a requirement that political fundraising events ("where the price of admission is a \$200 donation or more") be advertised at least five days in advance, including the time and location of the fundraiser and contact information for anyone interested in attending.



ACTIONS TAKING PLACE IN THE OPEN GOVERNMENT SYSTEM

This diagram depicts New Zealand's Open Government system, and some of the key initiatives already underway or planned.

The system is comprised of a range of initiatives taking place at four different levels – all the way from actions Ministers are taking, work led by the Public Service, initiatives carried out by New Zealanders, and projects that are part of the international arena. All of these parts of the system matter because they influence the level of trust and confidence New Zealanders have in Government.

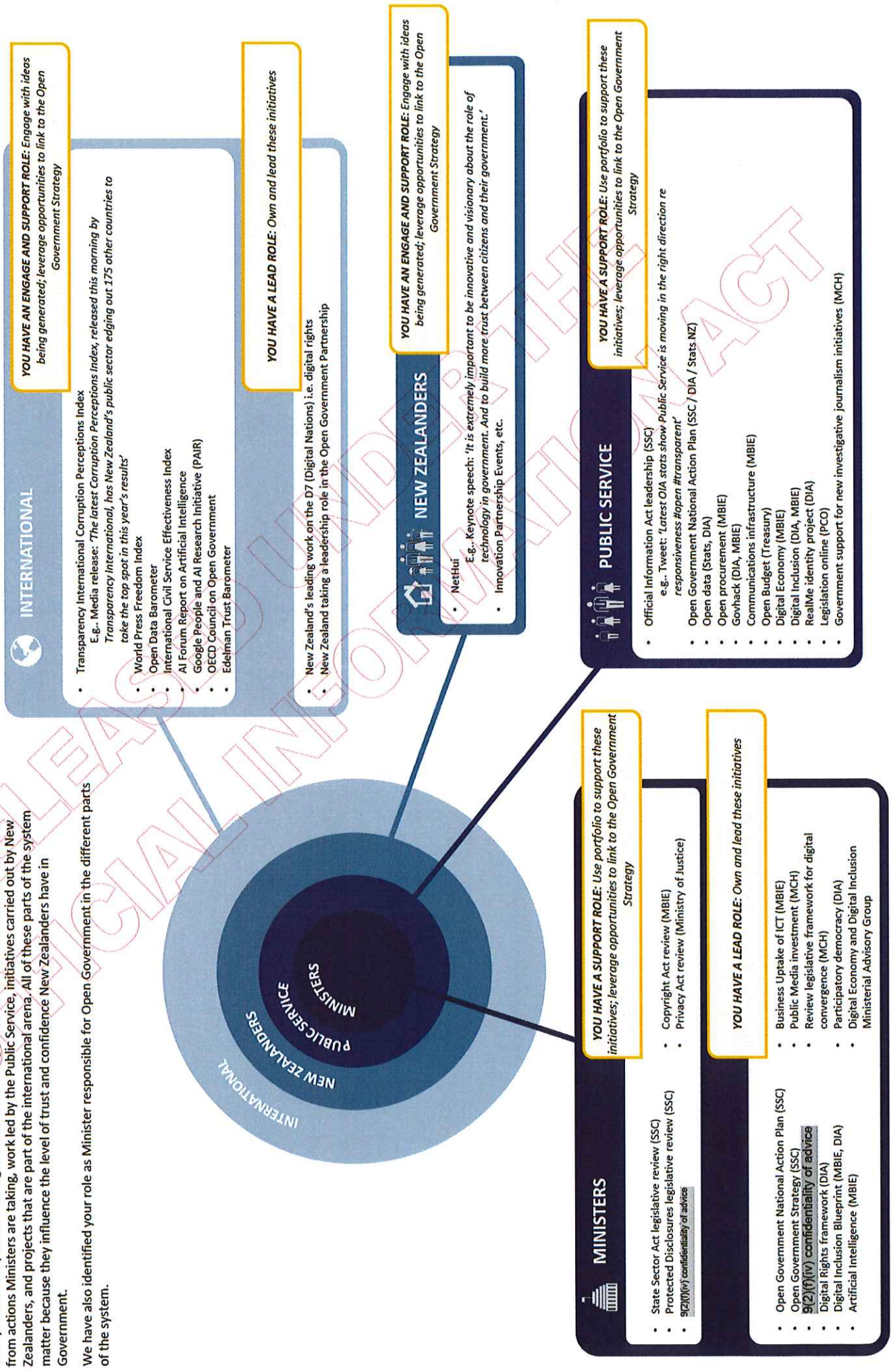
We have also identified your role as Minister responsible for Open Government in the different parts of the system.

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MINISTERS

PUBLIC SERVICE

NEW ZEALANDERS

INTERNATIONAL