

OGP Commitment Template

<p>Country</p>	<p>New Zealand</p>
<p>Number and Name of Commitment</p>	<p>Number One: Improve the level and quality of engagement with civil society and the wider community through adoption of co-designed mandatory minimum standards for consultation and through meaningful use of a community engagement tool co-created with New Zealand civil society by at least five agencies per year of the plan’s implementation; plus production and publication of an independent (funded) reporting by relevant civil society organisations on the outcomes of the tool’s use. The five uses of the engagement tool must honour te Tiriti, and prioritise that in at least three instances.</p>
<p>Brief Description of the Commitment</p>	<p>To strengthen public participation in government policy and design of services by adopting both mandatory minimum standards for consultations by government agencies, and use of a standard tool for community engagement for all new policy initiatives and major programmes. These standards and the tool will be co-designed with civil society and based on the International Association for Public Participation’s standard, which sets out a spectrum of public participation (IAP2).</p> <p>Mandatory minimum standards for all government consultation exercises will be co-designed by government departments and civil society organisations, drawing on external expertise where necessary.</p> <p>DPMC have customised the IAP2 spectrum to create a tool and guidance for engagement within the New Zealand context. This includes engagement with Māori and other diverse and ethnic groups.</p> <p>Use of the tool and resources, particularly during planning will focus on lifting the quality of engagement by:</p> <ul style="list-style-type: none"> · Identifying and communicating the level of engagement · Identifying parties to engage and engagement methods · Who should lead the engagement · Identifying gaps, challenges, resource needed and issues

Commitment Lead	Govt	Civil Society	Others
	TKM	Trust Democracy/ NZCCL/ ECO	Kāpuia
Supporting Stakeholders	MEC, TPK, MSD, DPMC, RCOI agencies		
Period Covered	1 January 2023 to December 2024		

Problem Definition	<p>1. What problem does the commitment aim to address? 2. What are the causes of the problem?</p> <p>Te Kawa Mataaho’s first Long-Term Insights Briefing (LTIB), Enabling Active Citizenship: Public Participation in Government into the future on 30 June 2022 identified that forms of public participation in New Zealand have focused on informing and consultation rather than deeper involvement of communities in decision-making. The report identified three key challenges, to lifting public participation:</p> <ul style="list-style-type: none"> · The lack of a single cross-government framework which could serve as a standard for how agencies engage with the public and community · The overall capability of the Public Service to work in new ways with diverse communities, especially in the collaborate and empower phases of engagement, and · The narrow range of experience in New Zealand with the use of public participation methods <p>The LTIB proposes a direction of travel to address these issues consists of three core elements:</p> <ul style="list-style-type: none"> · Element 1: A common framework and measurement · Element 2: Innovation in priority areas – opportunity to trial new and different approaches · Element 3: A broader shift to collaborative approaches <p>Although Te Kawa Mataaho’s LTIB horizon is longer-term, our view is that given the importance of public participation, steps need to be taken now in relation to each element to enable that direction by way of an OGP commitment.</p> <p>This commitment also contributes to recommendation 38[1] of the Royal Commission of Inquiry (RCOI) report which requires all community engagement to be in accordance with New Zealand’s Open Government Partnership commitments and encourages engagement based on the Te</p>
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	<p>Arawhiti engagement guidelines[2] and IAP 2 Public Participation Spectrum[3].</p> <p>In relation to government consultation exercises, the commitment aims to tackle the problem of too many consultations providing too short a period for making a submission, too few people being consulted on an issue that affects many people, and the unwillingness to publish submissions received until after policy decisions have been made.</p> <p>The causes of these behaviours need to be explored during the delivery of the commitment so that appropriate standards can be developed that safeguard people's ability to participate as active citizens, fulfil agencies' statutory duty to foster a culture of open government, and provide options for the different situations in which consultation is used.</p>
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<p>Commitment Description</p>	<p>1. What has been done so far to solve the problem?</p> <p>The community engagement work was initiated by the Policy Project to fulfil Commitment 5 of the Open Government Partnership 2018 – 2021 National Action Plan. Commitment 5 aims to 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 for Public Participation's spectrum of public participation). The community engagement design tool is being used in a pilot by agencies involved in the RCOI implementation work.</p>
	<p>2. What solution are you proposing?</p> <p>In NAP4, we propose two main activities to address these issues.</p> <p>First, implement IAP2 as a standard for all government engagement, learning from the experience to date of the experts at RCOI agencies, DPMC and community experts.</p> <p>Second, co-design all-of-government minimum standards for consultation that safeguard people's ability to meaningfully participate as active citizens in policy development and service design.</p> <p>At the end of the NAP4, we will report on the level of uptake by government entities and lessons learned.</p>

	<p>3. What results do we want to achieve by implementing this commitment?</p> <p>Lift the standard and quality of community engagement by:</p> <ul style="list-style-type: none"> · Use the customised IAP2 tool to identify the level of engagement, stakeholder involvements and the best engagement methods · Using the guidance and tools to assist in planning the engagement and · Provide feedback on the experience to enable the improvement of the IAP tool · Using the mandatory minimum consultation standards to improve the quality of public participation by publishing submissions received prior to policy decisions being made. <p>Through implementation of the co-designed mandatory standards on consultation, ensure that the public are given sufficient time to respond to government consultations, that the submissions are published shortly after the closing date of the consultation period, that adequate information is available in multiple formats for people considering making a submission.</p>
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<p>The Treaty</p>	<p>Effective engagement with Māori is key to producing better quality outcomes and realising Māori Crown partnerships. The influence of the Treaty extends beyond public participation, but there is a link between the two. There is a distinction between involvement of Māori in general public engagement processes and engagement with Māori as Treaty partners, and the former should not be seen as a substitute for the latter. However, both can help to strengthen relationships between Māori and the Crown and improve decision making, and there are lessons and experiences that can be shared between Māori Crown partnership approaches and participatory approaches more broadly. Work on this commitment must honour te Tiriti obligations regarding partnership, active protection and equity.</p>
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Commitment Analysis**1. How will the commitment promote transparency?**

This commitment will promote transparency by ensuring that the co-designed standards and tool are communicated in language that is easily comprehensible by all people living in Aotearoa New Zealand, and through multiple channels, not just digital. The aspect of the co-designed standard relating to publication of submissions received in response to a consultation will improve public access to information, and the co-designed engagement tool will promote transparency through ensuring that information communicated in the course of public engagement activities is done in manners consistent with the public(s) involved in the activities.

2. How will the commitment help foster accountability?

Accountability is fostered through standards and tools that elaborate clearly what the public (or smaller group of people being engaged with) can expect from the consultation or participation exercise.

The co-designed standards for consultation will make clear what avenues can be used to ensure compliance with them, and how to complain if they are not complied with.

Similarly, the community engagement tool will elaborate how participants can be accountable for the design and operation of the individual engagement activities.

High quality consultation and engagement is fundamental to the way that the government builds its relationship with citizens. It has the responsibility to honour the principle of fostering open government and honouring Te Tiriti in ways that enhance how our Public Service delivers for all of Aotearoa New Zealand. Successful and meaningful engagement with diverse people and communities should have the ancillary outcome of increasing trust and confidence in our Public Service agencies and across the Public Service as a whole. Decisions that arise from an inclusive and collaborative process can be more credible.

Accountability for compliance with the standards and use of the engagement tool is also critical both to producing better quality outcomes for Māori and honouring Te Tiriti obligations.

	<p>3. How will the commitment improve citizen participation in defining, implementing, and monitoring solutions?</p> <p>This commitment is at the core of contributing to achievement of the OGP objective around meaningful citizen engagement which is a central pillar of open government. It is critical to delivering high quality opportunities for citizen participation in defining, implementing and monitoring policies and services. Achievement of this commitment will produce better quality outcomes for all. Effective engagement allows those who are affected by a decision or interested in an issue to be involved in policy design, development and decision making.</p> <p>Effectively engaging with communities leads to acknowledging the rangatiratanga of Māori as Treaty partners, building relationship capital and co-creating inclusive solutions for all New Zealanders.</p>
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Commitment Planning					
<i>(This is an initial planning process largely looking at milestones and expected outputs, as well as key stakeholders involved.)</i>					
Milestones <i>(Milestones are part of a series of actions or events that, when executed, will lead to the achievement of the result the commitment would like to achieve.)</i>	Expected Outputs <i>(Outputs are concrete, objectively-verifiable results that are direct products of activities conducted or implemented.)</i>	Expected Completion Date	Stakeholders		
Call to action published	Initial website/pages for the commitment established and invitations to civil society groups and other stakeholders sent	Mid-February 2023	Leads: TKM/Trust Democracy, NZCCL		
			Supporting Stakeholders:		
			Govt	CSOs	Others
			DPMC, RCOI agencies, MEC, MSD, TPK, te Arawhiti	Trust Democracy, NZCCL, ECO, others TBC	Kāpuia

Joint working group established	Publication of joint working group, Terms of Reference, working methods. Agenda, papers, minutes, submissions, etc published on the commitment website. Email newsletters sent.	End of March 2023	
Review and enhance DPMC engagement tool based on RCOI report	Publish results of the review, and describe next steps	End of April 2023	
Information gathering on standards and guidance for consultation within NZ and used by govt overseas	Publish the findings of this information gathering exercise on the website	End of May 2023	
Enhanced DPMC engagement tool co-designed and reporting mechanisms developed	Publish the revised tool	End of August 2023	
Co-design mandatory consultation standards	Workshops with agencies, CSOs, media	End of September 2023	
Promote the guidance and tool across the public and with people outside government	Workshops with agencies, CSOs, media	Mid October 2023	
Publication of the mandatory consultation standards	Launch event, publicity materials	Mid-October 2023	
Support high impact government entities implement the tool for their priority new policies and major programmes	Publication of the agencies and projects that will be using the enhanced tool	November 2023	

Begin quarterly reporting of activities and impact	First quarterly report published (covering Nov 2023-Jan 2024)	Mid February 2024	
Develop a community of practice on public participation and develop proposals for an all-of-government system lead on public participation		End of February 2024	
Co-produce end of commitment 'lessons learned' report	Publish end of commitment report	End of June 2024	

[1] Rec 38 of the Royal Commission of Inquiry into the Terrorist Attack on the Christchurch Mosque on 15 March 2019 <https://christchurchattack.royalcommission.nz/the-report/executive-summary-2/summary-of-recommendations/>

[2] Te Arawhiti engagement guidelines <https://tearawhiti.govt.nz/assets/Maori-Crown-Relations-Roopu/6b46d994f8/Engagement-Guidelines-1-Oct-18.pdf>

[3] The IAPP Spectrum of Public Participation encompasses five approaches for engaging with the public: Inform, consult, involve, collaborate and empower. <https://dpmc.govt.nz/sites/default/files/2021-06/policy-project-community-engagement-design-tool-editable.pdf>;

OGP Commitment Template

Country	New Zealand
Number and Name of Commitment	Number Two: Innovative public participation in policy design and decision making – Implementation of at least two deliberative democratic processes on two meaningful issues, through a public sector/CSOs/wider community alliance. Accompanying CSOs community research to test adaptation to Aotearoa, in particular in the context of the commitment to honour te Tiriti o Waitangi.
Brief Description of the Commitment	Identify opportunities where deliberative democratic processes (such as citizens’ assemblies/citizens’ juries/mini publics, or participatory budgeting) are being used overseas and within New Zealand, or can be used, across a range of issues and at a range of scales, with the aim of encouraging, supporting and learning from these experiments. Explore how deliberative processes to be adapted to the New Zealand setting, most notably through honouring te Tiriti o Waitangi obligations. Hold at least two deliberative democratic processes in New Zealand that are supported by people involved with the OGP work.

Commitment Lead	Govt	Civil Society	Others
	TKM	Trust Democracy	
Supporting Stakeholders	Relevant agencies and CSOs for the subject matter of the two deliberative democratic processes		
Period Covered	1 January 2023 to December 2024		

Problem Definition	<ol style="list-style-type: none"> What problem does the commitment aim to address? What are the causes of the problem? <p>Current discourse around government decision-making is a top-down deficit-based approach designed to address existing issues with little opportunity to hear the citizen voice, rather than a community-led, strengths-based, constructive approach. Policy development and service design are often conducted in the context of an adversarial, debate-based system of government, media and social media environment. This has led to a loss of understanding or belief in the social contract/constructs, and sense in some communities they have no voice, or are not heard. Communities are often best</p>
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	<p>placed to find their own solutions and should be empowered to do that.</p> <p>In addition, the traditional model of assemblies or juries overseas which consists of groups proportionate to the general population, does not recognise the Treaty/te Tiriti environment of New Zealand, and the uniqueness of the Māori Crown relationship. We need to trial or support trials that are using innovative responses and approaches to this.</p>
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<p>Commitment Description</p>	<p>1. What has been done so far to solve the problem?</p> <p>Central and local government agencies have increasingly used a range of consultation and community engagement tools, such as online platforms, consultation drafts, public workshops and focus groups. More recently, community-led solutions have been used to address local issues building on or enhancing existing strengths and empowering the community.</p>
	<p>2. What solution are you proposing?</p> <p>There is an opportunity to support government agencies and communities to trial deliberative processes (such as at a local level), to enable more experimentation, and topics where such processes could be used. Lessons learned can be captured and used to improve other similar processes and make them scalable from hyper-local (e.g. schools) to national level. A further milestone could be added should a topic for a national level initiative to apply what has been learned can be identified. Those topics could come from some of the other NAP4 commitment areas.</p>
	<p>3. What results do we want to achieve by implementing this commitment?</p> <p>This commitment would contribute to improving equity, inclusion and empowerment and decision making, and strengthen NZ's democracy. Done well, in safe spaces for dialogue, it will help with social cohesion and improve the capacity and capability of communities to improve their own well-being and outcomes, and the capability of government agencies to support such initiatives.</p>

The Treaty	There is an obligation on the government to honour te Tiriti o Waitangi and work as partners with Māori. How deliberative processes will work in a te Tiriti environment has only recently begun being tested, with the initiative started by Te Reo o Ngā Tāngata/The People Speak , and more recently being progressed by Ngāti Toa, being a notable example (see also here).
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Commitment Analysis	<ol style="list-style-type: none"> 1. How will the commitment promote transparency? 2. How will the commitment help foster accountability? <p>With deliberative processes, solutions or actions are often designed or co-designed by the public, and implementation shared or community-led. Where they are part of government processes, for example in policy or service design, the public are able to remove layers of bureaucracy between them and policy writers. This results in transparent, community-led, strengths-based solutions, and clear accountability.</p>
	<ol style="list-style-type: none"> 3. How will the commitment improve citizen participation in defining, implementing, and monitoring solutions? <p>This commitment is entirely focussed on increasing and strengthening public participation and empowering and giving a voice to communities. There will be greater opportunities for citizen participation as more deliberative processes are trialled and lessons learnt built into future processes.</p>

Commitment Planning <i>(This is an initial planning process largely looking at milestones and expected outputs, as well as key stakeholders involved.)</i>	Expected Outputs <i>(Outputs are concrete, objectively-verifiable results that are direct products of activities conducted or implemented.)</i>	Expected Completion Date	Stakeholders
	Establish oversight multi stakeholder group of govt reps and CSOs for public participation in deliberative processes	April 2023	Lead: Supporting Stakeholders: Govt TKM

	Identify opportunities for the use of deliberative democratic processes	May 2023	CSOs Trust Democracy
	Pilot deliberative processes	End November 2023	
	Evaluate deliberative processes conducted to identify lessons learnt and identify further candidate projects to adopt use deliberative processes in 2024	End April 2024	
	Prepare and publish and end of commitment report on the achievements and future plan for deliberative processes by government bodies in NZ	December 2024	

OGP Commitment Template

Country	New Zealand
Number and Name of Commitment	Number 3: Multi-channel access to public services and support - Provision of integrated, multiple channels for public service delivery - channels which include face to face and phone, not just online - to meet diverse needs and ensure access for all to public services and support.
Brief Description of the Commitment	Government and civil society work in partnership to design, pilot and implement integrated, multiple channels for public service delivery that are accessible (inclusive and equitable) and meet the diverse needs of the people of Aotearoa. Establish and maintain community of practice to sustain and enhance this work that also honour te Tiriti obligations.

Commitment Lead	Govt	Civil Society	Others
	System leads for transformation	Citizens Advice Bureau, alongside other identified stakeholders	
Supporting Stakeholders	FinCap, The Salvation Army, Grey Power NZ, Age Concern, Rural Women New Zealand, Human Rights Commission, Disabled Persons Assembly, Consumer NZ, Muaūpoko Tribal Authority		
Period Covered	1 January 2023 to December 2024		

Problem Definition	<p>1. What problem does the commitment aim to address?</p> <p>People depend on the public service to meet their obligations and get the information and services they need. The emphasis on providing public services online, and scaling back of alternative non-digital channels, has meant people do not have sufficient choice of channels to ensure equitable access to public services. This is denying some people access to the information and services they need and has a significant impact on those already experiencing disadvantage and hardship. Māori and Pacific Peoples are particularly overrepresented in those who are experiencing exclusion. Also impacted are the elderly, illiterate, homeless, poor, and migrant and refugee communities. Research has identified that taking a digital-first approach, without ensuring alternative non-digital channels are also</p>
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readily available and accessible, is excluding people from participating fully in society and is diminishing people's trust and confidence in government. This also hampers social cohesion and community participation in public processes.

It is essential that public services are designed and delivered with people's needs at the centre, and with particular regard for the needs and aspirations of Māori in order to honour Te Tiriti o Waitangi.

2. What are the causes of the problem?

Over the past decade, there has been a push for digital transformation across the public sector. This has provided benefits in many areas, but the focus on digital service delivery has occurred without a clear plan to ensure that public services remain accessible through multiple channels. Many processes and interactions with government agencies are now designed to direct people to a digital pathway, while other channels for accessing services, such as public counters, in-person appointments, and phone services have been scaled back or removed.

This transactional approach to delivering public services has also reduced the relational, human elements of service provision and has diminished the relationships between government and citizens, with a consequent impact on trust and confidence in government. There is little scope for building a trusting relationship given the one-way direction of engagement with little scope for continuous feedback or engagement.

[Research](#) commissioned by the Department of Internal Affairs estimates that 20 percent of New Zealanders experience some form of digital exclusion.¹ People most at risk of digital exclusion include those in social housing, disabled people, Māori and Pasifika, people living in larger country towns, people with low incomes or literacy levels, older people, offenders and ex-offenders, migrants and refugees, the unemployed, and those not actively seeking work.

A [report](#) by the Citizens Advice Bureau into the impacts of digital public services on inclusion and wellbeing shows that many people are struggling to access government services and support because digital is the only channel provided, or other channels are hard to find and access. Based on

¹ Motu, [Digital inclusion and wellbeing in New Zealand](http://www.motu.org.nz/wpapers/19_17.pdf), 2019. motu-
www.motu.org.nz/wpapers/19_17.pdf

	<p>anonymised information taken from over 4,000 records of interactions with digitally-excluded CAB clients, the report shows that people are becoming stressed, frustrated and excluded in their attempts to engage with public services because of the lack of choice of channels for connecting and engaging with services. It highlights the feelings of disempowerment and general negative impact on wellbeing that people are experiencing as a result.²</p>
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<p>Commitment Description</p>	<p>1. What has been done so far to solve the problem?</p> <p><i>What solutions were made available for this problem in previous years? How successful have they been?</i></p> <p>The focus of solutions so far have been on increasing ‘digital inclusion’. The Department of Internal Affairs is leading a programme of work to support this Digital inclusion NZ Digital government.³ This work primarily aims to provide people with equitable opportunities to participate in society using digital technologies.</p> <p>To date there has been no coordinated across-government initiative with the primary purpose of ensuring the public’s access to multiple channels for connecting with public services and support. The need for multi-channel service delivery has, however, been recognised within the Digital Service Design Standard (DSDS) for government services. Principle 4 of the Standard (which is to “be inclusive, and provide ethical and equitable services”) includes the provision of “alternatives where there may be a preference to interact with people instead of digital channels”.⁴ However, the DSDS’ primary focus of digital inclusion and access to digital public services - not a broader focus on access to public services per se - means that multi-channel service provision has not been prioritised across the sector. Non-digital channels have been largely lost within the focus on digital delivery, and so the Standard has not proven to be a sufficient mechanism for ensuring services are provided in the different ways people need..</p>
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² Citizens Advice Bureau NZ, [Face to face with digital exclusion](http://www.cab.org.nz/assets/Documents/Face-to-Face-with-Digital-Exclusion-/FINAL_CABNZ-report_Face-to-face-with-Digital-Exclusion.pdf), 2020.

³ Department of Internal Affairs, [Digital inclusion](http://www.digital.govt.nz/digital-government/programmes-and-projects/digital-inclusion/).

⁴ Department of Internal Affairs, [Digital Service Design Standard, Principles, 4](http://www.digital.govt.nz/standards-and-guidance/digital-service-design-standard/principles/be-inclusive-and-provide-ethical-and-equitable-services/).

	<p>The Digital Inclusion work programme of the Digital Public Service Branch is scoping the work needed to ensure non-digital access to government services and entitlements, and this will feed in to the work that will be carried out under this commitment.</p> <p>Inland Revenue has undertaken a review of the impact of its digital transformation of its services, identifying that this has had some negative consequences for vulnerable customers and those who are not engaging online. Inland Revenue has identified potential actions that can be taken, including some possible 'quick wins'. These should be considered as part of any system-wide solutions moving forward.</p> <p>2. What solution are you proposing?</p> <p><i>What will you do to solve the problem? How does this differ from previous efforts? In what way will the solution solve the problem? How will the solution solve the problem? Will it solve the problem in its entirety or partially? What portion of the problem will it solve, if not the whole problem?</i></p> <p>This proposal is for public services to be available and accessible to the public via multiple channels - it means in addition to online channels, services are also available face to face / kanohi ki te kanohi, and by phone.</p> <p>The commitment will be achieved through civil society organisations and government agencies working in partnership, to identify best practice models, to co-design, develop, and carry out a pilot or pilots, and to create a plan to implement integrated, cross-government, multi-channel public service delivery.</p> <p>The first phase of the work to implement this commitment will be for learning and exploration. This will include relationship-building between civil society organisations / NGOs / iwi organisations and an all-of-government group, scoping the state of the situation in New Zealand and what is needed to ensure non-digital access to government services and entitlements, obtaining insights and best practices from other service models (eg, Service NSW⁵ and Service Canada⁶, and examples from local government), and identifying quick wins (eg, making contact phone numbers visible and easy to find on agency websites, providing call back options as a standard part of the service,</p>
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⁵ Service NSW
www.service.nsw.gov.au/

⁶ Service Canada
www.canada.ca/en/employment-social-development/corporate/portfolio/service-canada.html

having a simple way for requesting a paper form, reviewing the accessibility of the language used by agencies, reviewing the ability for the public to find information on agency websites for non-digital services).

The second phase will be for planning and piloting. This will involve developing initiatives (including quick wins that are readily actionable) and a best practice model for service delivery, undertaking a pilot (or pilots), and the development of a Public Service Design Standard and guidelines for implementation across government services.

An important element of developing a multi-channel system for accessing and delivering public services will be empowering frontline staff to take a people-centred approach, maximising the extent to which they are able to assist people and help them navigate their way through government processes, including those involving multiple services and agencies. This will help the commitment reach its full potential in addressing the barriers people currently face while trying to access services and support.

To sustain and support this work beyond the lifespan of the commitment, a community of practice will be established, including government, CSO and other members, to share lessons learned and help with ensuring the work honours te Tiriti obligations.

3. What results do we want to achieve by implementing this commitment?

What outputs would we like to produce? What changes in knowledge, skills, and capacities do we want to achieve? What changes in behaviour, systems, and practices do we want to create?

This commitment will address the barriers people face when government services are delivered online, without alternative options for non-digital participation.

By giving people the choice of channels they need for connecting and engaging with public services, a multi-channel service delivery environment will allow people to more easily access their entitlements and fulfil their obligations in respect of government. It will prevent the individual and societal costs experienced when people are unable to easily connect with services, and will enhance social inclusion and individual and community wellbeing.

This commitment will be transformative in regards to people's ability to connect with and benefit from public services, and the resulting societal advantages including, but not limited to, population wellbeing and enhanced relationships between the public and government.

Key outputs from this commitment will include:

- Establishment of a working group of civil society organisations and government agencies working in partnership on the co-design, development, piloting and implementation of accessible, integrated, multiple channels for public service delivery.
- The development of a Public Service Design Standard which requires people's needs to be at the centre of the design and delivery of public services, reflecting the spirit of service to the community outlined in the [Public Service Act 2020](#).⁷
- Identification and implementation across the sector of quick wins.
- Development of a best practice model.
- Development of a tool for auditing service design proposals for their inclusivity, for use by officials and for independent evaluation of service provision channels.
- Piloting of an integrated, multi-channel public service delivery model.
- Development of a plan for sector-wide implementation of an integrated, multi-channel public service delivery model.
- Establishment and maintenance of an ongoing community of practice to sustain the work in an inclusive way that also honours te Tiriti obligations

The changes we want to achieve in terms of knowledge, skills, capacities, behaviours, systems and practices:

A multi-channel system for public service delivery will increase accessibility, reach, and flexibility, equipping agencies to be able to more easily connect with and support people, including communities which are currently underserved and experiencing higher rates of digital exclusion from services.

Reducing barriers to services for these groups will support the equity and social inclusion goals of the Government, [Government's commitment to Te Tiriti](#)⁸, its domestic and

⁷ Public Service Act 2020, s 13: [Spirit of service to community](#).
www.legislation.govt.nz/act/public/2020/0040/latest/LMS356872.html

⁸ Department of Internal Affairs, Report: Digital inclusion user insights — Māori.
www.digital.govt.nz/dmsdocument/177~report-digital-inclusion-user-insights-maori/html

	<p>international obligations to disabled people⁹, and its wider human rights obligations¹⁰ to people in communities across Aotearoa.</p> <p>A multi-channel approach to service delivery will give the public service greater resilience and capacity for quickly and effectively responding to changes, risks and challenges such as those wrought by pandemics, climate change, natural disasters, civil emergencies, and cyber-attacks, where a particular channel(s) may become unavailable or unsafe for a time.</p> <p>This approach would align New Zealand with the advice of the OECD which counsels member states that, while building on their digital competence and capability, they should also retain non-digital service delivery channels and infrastructure eg, physical offices and landline communications, to provide redundancy and mitigate different kinds of crises - as well as being able to continue supporting citizens who are less able or willing to use digital services.¹¹</p>
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<p>The Treaty</p>	<p>Māori have much higher rates of digital exclusion¹² compared to non-Māori and therefore face greater impacts of the Government’s digital-first or digital-only approach to service delivery and the loss of in-person services, especially of kanohi ki te kanohi services. The current approach serves only to create additional barriers to services and support, deepening the disadvantage Māori already face.</p> <p>To honour Te Tiriti o Waitangi, Māori must have the opportunity to be included, from the start, as partners in the design, development and implementation of inclusive, multi-channel public services in Aotearoa where all people are</p>
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⁹ UN Human Rights Office of the High Commissioner, The Convention on the Rights of Persons with Disabilities, Article 9 - Accessibility. www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-persons-disabilities

¹⁰ Chief Human Rights Commissioner, ‘Access to government services is a human right’ – Chief Human Rights Commissioner’, 27 February 2020.

www.hrc.co.nz/news/access-government-services-human-right-chief-human-rights-commissioner/

¹¹ Organisation for Economic Co-operation and Development, [Government at a glance 2021](#), 2021. www.oecd-ilibrary.org/sites/1c258f55-en/1/3/1/index.html?itemId=/content/publication/1c258f55-en&csp_ =10e9de108c3f715b68f26e07d4821567&itemIGO=oecd&itemContentType=book#sect-28

¹² Department of Internal Affairs, Report: Digital inclusion user insights - Māori.

www.digital.govt.nz/dmsdocument/177~report-digital-inclusion-user-insights-maori/html

	<p>able to access their entitlements in the ways they need, and with dignity.</p> <p>Relationships are critical to facilitating participation for Māori in these processes, including pre-existing relationships between government agencies and Māori. Te Puni Kōkiri and the Department for Internal Affairs in particular may be able to provide guidance and support in this area, as well as the community organisations who are, and those who will be, engaged in this initiative.</p> <ul style="list-style-type: none"> • Motu's Digital Inclusion and Wellbeing in New Zealand also shows digital exclusion is worse for Māori when compared with the wider population.¹³ • Digital inclusion user insights – Māori¹⁴ <p>The work will continue to engage with Māori after the lifespan of this commitment through an inclusive community of practice that honours Tiriti obligations of active protection, equity and partnership.</p>
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<p>Commitment Analysis</p>	<ol style="list-style-type: none"> 1. How will the commitment promote transparency? 2. How will the commitment help foster accountability? 3. How will the commitment improve citizen participation in defining, implementing, and monitoring solutions? 4. How will it proactively engage citizens and citizen groups <p>The commitment will help to promote transparency, foster accountability, improve citizen participation and proactively engage citizens through:</p> <ul style="list-style-type: none"> • Government and civil society working in partnership to design and develop an integrated, multi-channel approach to public service delivery. • Providing the public service with a people-centred framework for the design and delivery of public services through a Public Service Design Standard developed by civil society and government. • Including within the Public Service Design Standard principles and guidelines for plain language
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¹³ Motu, [Digital inclusion and wellbeing in New Zealand](http://www.digital.govt.nz/dmsdocument/161~digital-inclusion-and-wellbeing-in-new-zealand/html), 2019.

¹⁴ Department of Internal Affairs, Report: Digital inclusion user insights - Māori. www.digital.govt.nz/dmsdocument/177~report-digital-inclusion-user-insights-maori/html

communication, as a key aspect of inclusive public service delivery.

- Developing a tool for auditing service design proposals for their inclusivity, for use by officials and for independent evaluation of service provision channels.

An integrated multi-channel approach to public service delivery, co-created by the public and government, with a commitment of building relationships based on trust responds directly to the OGP vision for governments to become more transparent, more accountable, and more responsive to their own citizens, with the ultimate goal of improving the quality of governance, as well as the quality of services that citizens receive.

Transparency is an act of communicating meaning to the intended audience, not mere publication of information. Communicating information about public services in language that is accessible and understood by the people who need to understand it is a key aspect of inclusive public services.

It is expected that a genuinely equitable, accessible, multi-channel public service will improve levels of positive citizen engagement with, and therefore trust in, the public service. While levels of [trust and confidence in the public service in Aotearoa](#)¹⁵ are higher than the OECD average, at 54% there is an opportunity for significant improvement. Addressing the barriers to accessing public services will help to move us in the right direction.

¹⁵ Organisation for Economic Co-operation and Development, Government at a glance 2021, 2021. www.oecd-ilibrary.org/sites/1c258f55-en/1/3/13/1/index.html?itemId=/content/publication/1c258f55-en&_csp_=10e9de108c3f715b68f26e07d4821567&itemIGO=oecd&itemContentType=book

Commitment Planning

(This is an initial planning process largely looking at milestones and expected outputs, as well as key stakeholders involved.)

Milestones <i>(Milestones are part of a series of actions or events that, when executed, will lead to the achievement of the result the commitment would like to achieve.)</i>	Expected Outputs <i>(Outputs are concrete, objectively-verifiable results that are direct products of activities conducted or implemented.)</i>	Expected Completion Date	Stakeholders		
<p>Phase 1: Learning and Exploration Phase</p> <p>Establish relationships with relevant communities and agencies</p> <p>Establish a cross-agency / civil society / NGO / iwi working group</p>	<p>Initial website/pages for the commitment established and invitations to civil society groups and other stakeholders sent</p> <p>Publication of joint working group, Terms of Reference, working methods. Agenda, papers, minutes, submissions, etc published on the commitment website. Email newsletters sent.</p>	<p>September 2022 – March 2023</p>	<p>Leads: System Lead for Service Transformation / TKM and CAB</p>		
			<p>Supporting Stakeholders:</p>		
			<p>Govt</p>	<p>CSOs</p>	<p>Others</p>
			<p>DIA</p>	<p>TBC</p>	<p>OAG, Ombudsman</p>
<p>Obtain insights and best practices from other service models (Service NSW and Service Canada)</p>	<p>Publish insights</p>	<p>March-April 2023</p>			
<p>Identify quick wins</p>		<p>March-April 2023</p>			
<p>Phase 2: Planning and Building a Pilot</p> <p>Develop a model of what a best practice model could look like. Identify who is going to action it</p>		<p>April 2023- July 2023</p>			

Implement quick wins		August 2023 – Nov 2023	
Pilot the best practice model		Nov- Jan 2024	
Identify insights from pilot	Publish insights	March 2024	
2 nd pilot		April-June 2024	
Develop plan for implementation across public service	Publish plan	June - Dec 2024	
Establish and maintain Community of Practice to sustain the work in a manner that honours te Tiriti obligations and ensure lessons continue to be shared		May 2023	

OGP Commitment Template

Country	New Zealand
Number and Name of Commitment	Number Five: Greater scrutiny over the inclusion of secrecy clauses in legislation and a process for amendment or repeal of existing secrecy clauses.
Brief Description of the Commitment	To strengthen guidance and procedures agencies must follow when developing new or reviewing existing legislation. This includes developing a process to review current secrecy clauses in legislation and remove or amend them. Reports on the creation and removal or amendment of secrecy clauses will be published.

Commitment Lead	Govt	Civil Society	Others
	MoJ	NZCCL	Ombudsman
Supporting Stakeholders	PSC, Crown Law, TINZ, other CSOs including the Māori Data Sovereignty Network, LDAC, PCO, media.		
Period Covered	1 January 2023 to December 2024		

Problem Definition	<p>1. What problem does the commitment aim to address?</p> <p>There are now more than 85 clauses in legislation that override the presumption of availability of official information found in section 5 of the Official Information Act 1982. More than 20 have been added as a result of legislation introduced since 2019.</p> <p>These clauses can be formulated as confidentiality provisions that apply to too much information, or that only permit disclosure in limited circumstances. It can mean OIA requests are refused under section 18(c)(i) as being ‘contrary to the provisions of a specified enactment’ – to which, no public interest test applies.</p> <p>On other occasions, Bills have amended the definition of ‘official information’ in the OIA, in order to place certain kinds of information outside the scope of that Act, even though the organisation is still covered by it. Some of the secrecy clauses echo pre-OIA legislation, or early post-OIA legislation, that date from an era when ideas around the balance between secrecy and openness were very different.</p>
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	<p>All of these provisions undermine the principle that the OIA should be the primary mechanism for determining whether it is in the public interest to withhold official information and undermine the legislation's principle of availability.</p> <p>This problem affects all those who seek information from public authorities subject to the OIA - Members of Parliament, civil society organisations, the media, the private sector and the general public.</p> <p>2. What are the causes of the problem?</p> <p>What appears to be happening is that departments introducing legislation think they have a 'special case' why the issue of disclosure or non-disclosure of information should not be dealt with under the OIA's regime for weighing competing public interests. Often clauses seem to have the intention of providing reassurance to people or organisations outside government that information which they may have to provide to government for particular purposes will not be disclosed by the agency. Other clauses appear to be poorly drafted, limiting disclosure under the OIA while purporting to enable sharing of information.</p> <p>What these clauses signal is that the departments do not trust or understand how the OIA works. Even more significantly, the signal that is being sent by this stream of secrecy clauses is that the government does not trust the Ombudsman – or indeed the courts – to make the right decision on disclosure or withholding if they receive a complaint about a request being refused.¹</p> <p>The procedures through which proposals for new legislation are developed do not appear to adequately scrutinise claims made for departing from the OIA. One factor seems although new legislation is scrutinised for compliance with the New Zealand Bill of Rights Act 1990, it does not appear that this scrutiny acknowledges that the OIA implements section 14 of the Bill of Rights Act, and thereby Article 19 of the International Covenant on Civil and Political Rights.</p> <p>Where submissions to select committees point out the problem of secrecy clauses in new legislation, only rarely do</p>
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¹ Requesters may seek judicial review of the initial decision on an OIA request following completion of an Ombudsman's investigation; see s 34 of the OIA. The courts may also be the required channel for challenging other decisions to refuse access to information depending on the particular statute. For example, the Data and Statistics Act 2022 ousts the OIA as a means to challenge a decision of the Government Statistician not to grant access to data for research purposes.

	<p>MPs take steps to remove or amend them before the Bill passes.</p>
<p>Commitment Description</p>	<p>1. What has been done so far to solve the problem?</p> <p>There are current procedures in place, which include the legislative process, guidelines and the Legislative Design and Advisory Committee. It is also the Ministry of Justice's role to provide advice on Bills that interface with the OIA. Also, as many of these clauses relate to protection of third parties' information, MoJ is responsible for providing advice on that.</p> <p>Section 38(a) of the OIA when it was first enacted made it a function of the Information Authority to review existing secrecy clauses on the statute book and ascertain whether they should remain. This activity ceased when the Information Authority was dissolved on 30 June 1988 as a result of section 53 of the OIA.</p> <hr/> <p>2. What solution are you proposing?</p> <p>That the Ministry of Justice, Cabinet Office (DPMC), Legislation Design Advisory Committee and Parliamentary Counsel office work with civil society organisations to review and develop:</p> <ul style="list-style-type: none"> (a) Published guidance on the relationship between Article 19 of the International Covenant on Civil and Political Rights, Article 14 of the New Zealand Bill of Rights Act and the Official Information Act and Local Government Official Information and Meetings Act ('official information legislation'); (b) Processes and guidelines around the drafting of new legislation to ensure robust examination of the claims for needing to remove information or public authorities from the application of official information legislation, including obtaining the views of the Parliamentary Ombudsman and publishing them; (c) A requirement that any proposals which will override official information legislation that make it past this initial process are highlighted to MPs when the legislation is introduced to the House; (d) Revised procedures for Bill of Rights Act vetting of legislation to ensure the reports on the compliance of the new legislation with that Act includes reporting on proposals that will override official information legislation; (e) A process to review current secrecy clauses in legislation and produce a report that recommends their repeal or amendment, or provides detailed reasons why any clause is proposed to be left unamended;

	<p>(f) Introduction, and enactment by the end of 2024, of legislation to give effect to the recommendation in the report produced in (e) above; and</p> <p>(g) An annual reporting process on (i) proposals made for new secrecy clauses and the outcome of those proposals, (ii) progress made with amendment or repeal of existing secrecy clauses, and (iii) any further secrecy clauses identified since the process outlined in (e) above.</p>
	<p>3. What results do we want to achieve by implementing this commitment?</p> <p>The outcome of this commitment should be improved access to information held by public authorities through:</p> <ul style="list-style-type: none"> ● a reduction in the number of new statutes with secrecy provisions; and ● better public understanding of the public interest factors involved in justifying a departure from the OIA, of the and legislative design processes for scrutinising claims to need a new secrecy clause; and ● a review of current legislation with secrecy clauses; and ● enactment of legislation to implement the recommendations for repeal or amendment arising from the review; and ● regular reporting on proposals for new secrecy clauses and progress with removing or amending existing clauses.

<p>The Treaty</p>	<p>Work on this commitment will need to involve tangata whenua in order to honour te Tiriti obligations across the partnership, active protection and equity dimensions. High quality participation opportunities will facilitate tino rangatiratanga over information that is a resource of Māori, as well as working towards the active protection and equity aspects of te Tiriti.</p>
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<p>Commitment Analysis</p>	<p>1. How will the commitment promote transparency?</p> <p>The commitment will promote transparency by reducing the creation of additional secrecy clauses and assessing which existing secrecy provisions can be repealed or amended. The guidance on the relationship between Article 19 of the International Covenant on Civil and Political Rights, Article 14 of the New Zealand Bill of Rights Act and official information legislation will make the legislative design process more transparent by communicating relevant information about how claims to need secrecy clauses are scrutinised and can be challenged. The annual reporting on new proposals and progress with repeal or amendment of existing clauses will also promote transparency.</p>
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	<p>2. How will the commitment help foster accountability?</p> <p>This commitment will help to provide accountability as the reduction of secrecy clauses will enable more information to be disclosed. The strengthening and publication of guidance and processes will lead to more official information being made available for scrutiny, as well as enabling better scrutiny of any new claims to need a secrecy clause. The annual reporting on new proposals and progress with repeal or amendment of existing clauses will also foster accountability.</p>
	<p>3. How will the commitment improve citizen participation in defining, implementing, and monitoring solutions?</p> <p>There will be greater opportunities for citizen participation in government processes as the repeal or amendment of secrecy clauses makes more official information available. The commitment will also aid public participation in the process of scrutinising proposals for new legislation through publication of both the guidance and via the NZ Bill of Rights Act reports that vet legislation. The annual reporting on new proposals and progress with repeal or amendment of existing clauses will improve citizens' ability to monitor the operation of the new guidance and processes, and to contribute to public debate on whether the decisions on repeal or amendment of existing clauses are appropriate.</p>

Commitment Planning <i>(This is an initial planning process largely looking at milestones and expected outputs, as well as key stakeholders involved.)</i>			
Milestones <i>(Milestones are part of a series of actions or events that, when executed, will lead to the achievement of the result the commitment would like to achieve.)</i>	Expected Outputs <i>(Outputs are concrete, objectively-verifiable results that are direct products of activities conducted or implemented.)</i>	Expected Completion Date	Stakeholders
Call to action published	Initial website/pages for the commitment established and invitations to civil society groups and other stakeholders sent	End of February 2023	Lead: MoJ CSOs: NZCCL, Transparency International Supporting Stakeholders: Govt: PSC, MoJ, Crown Law, LDAC, PCO Other: Ombudsman

Joint working group established	Publication of joint working group, project plan, working methods. Agenda, papers, minutes, submissions, etc published on the commitment website. Email newsletters sent.	Mid April 2023	
Workshop on Article 19 of the ICCPR, section 14 NZ Bill of Rights Act and official information legislation	Report on the workshop and published statement of agreed Crown position on the relationship between the instruments and the implications of this	End of June 2023	
Review current process and guidance for developing new legislation and/or amending new legislation and identify gaps around secrecy clauses	Publish the results of the review and workplan for addressing the issues identified in it	Mid-September 2023	
Begin the review into secrecy clauses in current legislation, to propose repeal, or amendment where warranted	Publish the fact that the review has begun, and invite the public and stakeholders to provide submissions identifying problems and explaining their effect	End of September 2023	
Strengthen processes and guidance	Complete the drafting of new processes and guidance	Mid-December 2023	
Rollout and communicate new processes and guidance	Published guidance and processes	End of February 2024	
Complete the review of secrecy clauses in current legislation and propose repeal, or amendment where warranted	Published report of the review	End of April 2024	
Introduce legislation for repeal or amendment of existing secrecy clauses	Legislation published and introduced into the House of Representatives	End of June 2024	

Agree reporting process for annual reports on secrecy clauses	Publish policy/amendment to the OIA setting out the annual reporting on proposed secrecy clauses and progress with repeal or amendment of existing secrecy clauses	July 2024	
Legislation on repeal or amendment of secrecy clauses enacted	Legislation receives Royal Assent	Mid-December 2024	

OGP Commitment Template

Country	New Zealand
Number and Name of Commitment	Number Six: Co-production of a National Interest Analysis of the Aarhus Convention [1]
Brief Description of the Commitment	Establishment of a joint civil society and government working group to scrutinise the implications for New Zealand of accession to the UN's Aarhus Convention; co-production of a National Interest Analysis of the Convention and provision of advice to Ministers on accession.

Commitment Lead	Govt	Civil Society	Others
	MfE, MFAT, MPI, DOC, MOJ, TKM, MBIE	NZ Council for Civil Liberties, ECO, Trust Democracy,	Forest and Bird, Greenpeace, Hui E!, Trust Democracy, Te Mana Raraunga (Māori Data Sovereignty Network), groups identified through Te Kāhui Māngai, academics, wider public
Supporting Stakeholders	Parliamentary Commissioner for the Environment		
Period Covered	1 January 2023 to December 2024		

Problem Definition	<p>1. What problem does the commitment aim to address?</p> <p>The volume and seriousness of the environmental challenges facing Aotearoa New Zealand now and in the coming decades cannot be addressed by the government alone. The New Zealand government recognised this when it signed up to Principle 10 of the Rio Earth Summit Declaration in 1992.[2] This acknowledged that tackling environmental challenges would require participation and action by civil society and the private sector, and that in order for these parts of society to play their part, they would need to be empowered with rights of access to information, to participate in decision making, and have access to justice on environmental issues. This aligns with the current government's work on active citizenship,[3] strengthening participation,[4] and improving access to civil justice.[5] It also aligns with NZ's 2015 signature of the UN's Sustainable Development Goals, including Goal 16.7, which requires the Government to "ensure responsive, inclusive, participatory and representative decision-making at all levels".</p>
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	<p>Following the Rio Earth Summit, the UN subsequently negotiated and agreed the Aarhus Convention, to elaborate provisions under each of these three pillars of Principle 10. An initial reading of the Convention indicates that New Zealand's accession to the Convention would both practically strengthen people's rights to information, participation and access to justice on environmental matters in the present as well as safeguarding these rights for the people of Aotearoa for the future, irrespective of the government then in office.</p> <p>2. What are the causes of the problem?</p> <p>New Zealand has not acceded to the Aarhus Convention, and civil society assesses that as a result there are gaps in the public's rights to information, participation in decision making and access to justice on environmental issues. This creates problems in relation to New Zealand fulfilling Principle 10 of the Rio Earth Summit Declaration.</p> <p>Government decision making on whether to accede to international agreements requires the production of a National Interest Analysis.[6], [7] Among other factors, the NIA assesses the reasons for accession, the benefits it would bring and the work required to implement the agreement in NZ law. Traditionally this is done exclusively by the competent/lead ministry working with the relevant government departments.[8], [9] However, in line with:</p> <ul style="list-style-type: none"> ● New Zealand's commitment to Principle 10 of the Rio Earth Summit Declaration,[10] ● New Zealand's signature of the 2015 UN Sustainable Development Goals, including SDG 16.7,[11] ● the Public Service Act commitment to fostering open government and facilitating active citizenship,[12] and ● New Zealand's membership of the Open Government Partnership, <p>the National Interest Analysis should be co-produced by civil society and other interested groups working with the government.</p>
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<p>Commitment Description</p>	<p>1. What has been done so far to solve the problem?</p> <p>MFAT provided its initial thoughts on accession to the Aarhus Convention to the Minister for Climate Change in early 2020, following a request from the Minister. This has not resulted in further work taking place following the provision of that advice.</p>
	<p>2. What solution are you proposing?</p> <p>Establishment of a jointly chaired civil society and government working group to scrutinise the implications for New Zealand of accession to the UN's Aarhus Convention; co-production of a National Interest Analysis of the Convention and provision of advice to Ministers on accession.</p>

Implementation looks like:

(A) Regular meetings of the working group to assess the different aspects of the Convention, with agenda-setting and papers being commissioned by consent. Equitably funding civil society participation in the working group's activities, rather than relying on donated time and effort. Receiving evidence / submissions from those who have experienced issues the Convention would impact.

(B) A website for publication of the agenda, minutes and papers, as well as channels for people to communicate with the working group. Hard copies on request for those without digital access.

(C) A published final National Interest Analysis of accession to the Convention and advice to Ministers.

(D) Presentation and explanation of the report to Ministers at an event with the working group participants, other interested CSOs, MPs, officers of Parliament, and media.

(E) An evaluation report on lessons for future co-produced analyses of international instruments NZ is considering signing up to.

3. What results do we want to achieve by implementing this commitment?

(A) Since the preparation of an NIA is a requirement for NZ to accede to any multilateral agreement,[16] the overall measure of success is Ministerial action on the working group's advice and the assistance that the working group's analysis provides to those who would have to do the work were accession to the Convention to be the decision made.

(B) Delivery of the final NIA report and evaluation.

(C) Progress prior to this can be measured through completion of the different aspects of the National Interest Analysis, and the written output recording that assessment.

(D) Other measures of success are levels of participation in the process by civil society groups and government agencies, increased capacity of civil society at inputting into NIAs going forward, increased understanding and expertise of officials at designing and implementing participatory processes, submissions received, visitors to the website, comments/communications with the working group.

This commitment would be foundational, in the sense that it lays the ground for possible accession to the Convention, and for co-production of other National Interest Analyses in the future. It would be strategic both in the sense that it would mark a step-change in agencies' engagement with CSOs prior to an international instrument being agreed to (some agencies already work with environmental CSOs on implementation of such

	<p>agreements – pacific fishing, antarctica, biodiversity, etc) and in preparing for implementation if that were the decision.</p> <p>Opportunities created: A joint working group would provide opportunities for sharing knowledge and perspectives on the issues involved, between civil society, the Parliamentary Commissioner for the Environment, and government, thereby enriching the information that can be drawn upon when providing advice to decision makers on accession to the Convention, and implementation if the Government decided to accede to the Convention. It can also serve as a pilot for co-producing consideration of the issues involved in acceding to other conventions or treaties in future, thereby providing practical assistance to government work to deliver on the Public Service Act principles.</p> <p>The work would also inform thinking across government on strengthening democracy and responses to environmental challenges such as climate change, biodiversity loss, water and waste management.</p> <p>A decision taken to accede to the Aarhus Convention would see New Zealand catching up with its good governance peers in the EU, the UK, Norway and others,[13] plus the 12 Caribbean and Latin American countries that have now ratified the parallel 2021 Escazu Agreement.[14] New Zealand was a founding member of the United Nations Environment Programme,[15] and would likely be the first country in the Pacific to accede to the Aarhus Convention, demonstrating leadership on environmental issues domestically and in the Pacific region.</p>
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<p>The Treaty</p>	<p>The working methods for this commitment would address the Ōritetanga and Partnership axes of Te Puni Kōkiri's policy model (slides 16 & 17 from TPK), particularly Taumarumaru – quality participation and quality governance. Tino rangatiratanga over land, water and resources would need to be considered, in the course of the joint working group's activities, for example creation and governance of mātaihai and taiāpure.</p> <p>In relation to 'Active Protection' the Convention's obligations with regard to collecting data on the environment – which the Parliamentary Commissioner for the Environment has recommended strengthening[17] – are relevant as they would help to ensure the Crown's agents are performing well, and keep itself informed of the relevant circumstances as they apply to Māori needs.</p> <p>In terms of honouring the equity requirements of te Tiriti, the Convention's rights to participate in decision-making and safeguard access to justice on environmental matters would strengthen the Crown's delivery of its obligations in relation to this aspect of te Tiriti.</p>
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	Overall, Māori participation in the working group, and the Convention itself if Aotearoa were to accede, would enhance Māori wellbeing and build capability.
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Commitment Analysis	<p>1. How will the commitment promote transparency?</p> <p>The commitment will promote transparency both through communicating the working group's progress as it conducted the assessment, and by hearing from - and discussing with - those who have experienced issues the Convention would impact. This would enhance both access to information and accountability for both CSOs and government agencies.</p> <p>Sharing the work through a platform that enables two-way exchanges of information would also be aligned to the OGP's interest in using technology to support the other values.</p> <p>Publication of the final National Interest Analysis and advice to Ministers, as well as supporting communication materials would be the first step in communicating the products of the working group to the public by CSOs and agencies.</p> <hr/> <p>2. How will the commitment help foster accountability?</p> <p>Communicating the work of the group to the public will foster accountability to the public as well as between government, tangata whenua, civil society, and other participants.</p> <p>Ensuring inclusive working methods and communication tools so that information available via the site is also available for no charge to the digitally excluded would assist with this. The outputs of the working group would be visible to Ministers and the public, both during the commitment and after its final report to Ministers.</p> <p>Ministers would remain accountable for their decision on whether to seek accession to the Convention.</p> <hr/> <p>3. How will the commitment improve citizen participation in defining, implementing, and monitoring solutions?</p> <p>Co-production of the assessment of the Convention by a jointly chaired working group would be strongly aligned to the participation value of the OGP. Civil society and interested members of the public will be able to participate either through joining or monitoring the work of the joint working group, or providing evidence of the impacts or benefits of accession. They will participate in the defining the work programme of the joint working group, implementing this programme and enabling other CSOs and the public to monitor its work. Funding the time spent by CSOs participating in this process will enhance equitable participation in the commitment.</p> <p>New Zealand's wellbeing goals are aligned with the UN's Sustainable Development Goals. A co-production approach to the assessment would align with Sustainable Development Goal 16.7</p>
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	<p><i>“Ensure responsive, inclusive, participatory and representative decision-making at all levels”, as well as the wellbeing benefits of rights relating to environmental protection that would result from accession to the Convention.</i></p>
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Commitment Planning <i>(This is an initial planning process largely looking at milestones and expected outputs, as well as key stakeholders involved.)</i>					
Milestones <i>(Milestones are part of a series of actions or events that, when executed, will lead to the achievement of the result the commitment would like to achieve.)</i>	Expected Outputs <i>(Outputs are concrete, objectively-verifiable results that are direct products of activities conducted or implemented.)</i>	Expected Completion Date	Stakeholders		
Call to action published	Initial website/pages for the commitment established and invitations to civil society groups and other stakeholders sent	End of March 2023	Lead: MFE/CSO TBC		
			<u>Supporting Stakeholders</u>		
			Government	CSOs	Others (eg Parliament, Private sector, etc)
			MFAT, DOC, MPI, MBIE, MOJ, TKM	NZCCL ECO, MDSN, others TBC	PCE, Relevant business groups
Joint working group established	Publication of joint working group, Terms of Reference, working methods. Agenda, papers, minutes, submissions, etc published on the commitment website. Email newsletters sent.	End of April 2023	Lead: MFE/CSO TBC		
			<u>Supporting Stakeholders</u>		
			Government	CSOs	Others (eg Parliament, Private sector, etc)
			MFAT, DOC, MPI, MBIE, MOJ, TKM	NZCCL ECO, MDSN, others TBC	PCE, Relevant business groups

National Interest Analysis and advice to Ministers completed	Publication of the jointly produced National Interest Analysis and the advice to Ministers on accession to the Aarhus Convention	End of April 2024	Lead: MFE/CSO TBC		
			Supporting Stakeholders		
			Government	CSOs	Others (eg Parliament, Private sector, etc)
			MFAT, DOC, MPI, MBIE, MOJ, TKM	NZCCL ECO, MDSN, others TBC	PCE, Relevant business groups
Communication of the advice and issues to Ministers, MPs, CSOs, Officers of Parliament and media	Briefing meeting for relevant Ministers, with presentation and explanation of the National Interest Analysis. Briefing meetings also for MPs, CSOs, Officers of Parliament and the media. Publication of the briefing materials (slides etc) on the commitment website.	End of May 2024	Lead: MFE/CSO TBC		
			Supporting Stakeholders		
			Government	CSOs	Others (eg Parliament, Private sector, etc)
			MFAT, DOC, MPI, MBIE, MOJ, TKM	NZCCL ECO, MDSN, others TBC	PCE, Relevant business groups
Evaluation of lessons learned for future co-produced analyses of international instruments NZ is considering signing up to.	Publication of evaluation report	End of July 2024	Lead: MFE/CSO TBC		
			Supporting Stakeholders		
			Government	CSOs	Others (eg Parliament, Private sector, etc)
			MFAT, DOC, MPI, MBIE, MOJ, TKM	NZCCL ECO, MDSN, others	PCE, Relevant business groups

[1] Information about the UN Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (the Aarhus Convention) can be found here: <https://unece.org/environment-policy/public-participation/aarhus-convention/introduction>

[2] See: <https://www.unep.org/civil-society-engagement/partnerships/principle-10>

[3] Section 11 of the Public Service Act 2020

- [4] Section 12 of the Public Service Act 2020 ('fostering a culture of open government'), and Te Kawa Mataaho and DIA's work on their Long Term Insights Briefings on public participation.
- [5] The Ministry of Justice is currently consulting on 'Wayfinding for Civil Justice': <https://www.justice.govt.nz/justice-sector-policy/key-initiatives/wayfinding-for-civil-justice/>
- [6] Parliamentary Standing Orders 405 and 406: https://www.parliament.nz/en/pb/parliamentary-rules/standing-orders-2020-by-chapter/chapter-7-non-legislative-procedures/#_Toc51754807
- [7] *Legislation* Guidelines, chapter 9. Legislation Design Advisory Committee Guidelines: <http://www.ldac.org.nz/assets/documents/LDAC-Legislation-Guidelines-2021-edition.pdf>
- [8] See *International Treaty Making, Guidance for government agencies on practice and procedures for concluding international treaties and arrangements*, MFAT, September 2021: <https://www.mfat.govt.nz/assets/About-us-Corporate/Treaties-Model-instruments/International-Treaty-Making-Guide-2021.pdf>
- [9] The NIA on the Minamata Convention on Mercury was prepared by MfE, and the NIA on the Convention for Liability for Bunker Oil Damage was prepared by Ministry of Transport.
- [10] See note 2 above
- [11] <https://www.mfat.govt.nz/en/peace-rights-and-security/our-work-with-the-un/sustainable-development-goals/>
- [12] Sections 11 and 12 of the Public Service Act 2020
- [13] The list of countries that are parties to the Convention can be found here: https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=XXVII-13&chapter=27&clang=en
- [14] See: <https://www.cepal.org/en/escazuagreement>
- [15] Source: *Sustainable development and governance*, Ministry of Foreign Affairs and Trade. <https://www.mfat.govt.nz/en/environment/sustainable-development-and-governance>
- [16] Standing Order 405,
- [17] *Submission on Improving Aotearoa New Zealand's environmental reporting system*: <https://www.pce.parliament.nz/publications/submission-on-the-improving-aotearoa-new-zealand-s-environmental-reporting-system-consultation-document> and *Knowing what's out there: Regulating the environmental fate of chemicals*: <https://www.pce.parliament.nz/publications/regulating-the-environmental-fate-of-chemicals>

OGP Commitment Template

Country	New Zealand
Number and Name of Commitment	Number Seven: Creation of a counter fraud and corruption strategy – Co-creation (civil society and government agency) of a national counter fraud and corruption strategy along with initiatives to increase government and public resilience. This strategy and strategy development to also honour the commitment to Te Tiriti.
Brief Description of the Commitment	Reduce the risks of fraud and corruption by developing and implementing a Counter Fraud and Corruption Strategy for New Zealand. The commitment also includes initiatives to strengthen controls to prevent fraud and education. Another component will look at identifying the level of fraud across government agencies to get a more accurate picture of loss and incidences identified.

Commitment Lead	Govt	Civil Society	Others
	SFO	TINZ	OAG
Supporting Stakeholders			
Period Covered	1 January 2023 to December 2024		

Problem Definition	<ol style="list-style-type: none"> 1. What problem does the commitment aim to address? 2. What are the causes of the problem? <p>Fraud and corruption harm everyone in society by taking tax dollars from needed public services and projects. Tackling fraud and corruption which targets public funds is essential to a trusted, transparent, responsive, and inclusive government.</p> <p>Despite its reputation for a high integrity public service, New Zealand is not immune to the increasing risks of fraud and corruption that are being faced by governments in many parts of the world.</p> <p>Estimates of loss by the government due to fraud and error vary. NZ Police estimate between \$700m to \$1.4b per</p>
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	<p>annum. Research commissioned by the SFO estimates the loss to be between \$5b and \$10b. Either estimate is a significant loss of taxpayer funds.</p> <p>Factors that contribute to increasing national risks include the rise of the digital economy, fragmented regulatory frameworks across jurisdictions and trading with countries ranked as having higher levels of corruption.</p> <p>Domestically, government procurement has a relatively low level of transparency but comprises a significant part of New Zealand's domestic economy. Other, current, risk factors include much greater, emergency, public spending in response to the COVID-19 pandemic and an economic downturn.</p> <p>At the public management system level, a lack of information about the risks, and overlapping operational mandates and differing priorities of prevention and detection agencies, present obstacles to the public service working in a coordinated and proactive way to address fraud and corruption risks and vulnerabilities.</p>
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<p>Commitment Description</p>	<p>1. What has been done so far to solve the problem?</p> <p>SFO has been awarded funding in the 2022 Budget to develop a strategy.</p>
	<p>2. What solution are you proposing?</p> <p>Co-design and implement a national, counter fraud and corruption strategy that unites and coordinates government agencies' counter fraud and -corruption efforts will strengthen the system's ability to identify and combat fraud and corruption risks and enhance transparency and accountability.</p>
	<p>3. What results do we want to achieve by implementing this commitment?</p> <ul style="list-style-type: none"> • Better safeguarding public funds so that they fulfil their intended objectives and reach their intended recipients, benefiting all, including the most vulnerable, in the community. • New Zealand is able to maintain a high level of trust and confidence in the financial integrity of our institutions and financial system.

The Treaty	Work on this commitment will need to honour te Tiriti obligations regarding partnership, active protection and equity. Māori experts on corporate governance and integrity will be involved in the development of the strategy and delivery of the training.
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Commitment Analysis	<ol style="list-style-type: none"> 1. How will the commitment promote transparency? 2. How will the commitment help foster accountability? 3. How will the commitment improve citizen participation in defining, implementing, and monitoring solutions? <p>It will be easier for people to find out information about the fraud and corruption risks being faced by government agencies and learn about the strategy being used to combat these risks. This information will increase the level of trust the public has in the government's counter fraud and corruption efforts and in the public sector's ability to safeguard public funds.</p> <p>Increased reporting of incidents of fraud and loss due to fraud will lift accountability on agencies to take measures to strengthen controls.</p>
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Commitment Planning <i>(This is an initial planning process largely looking at milestones and expected outputs, as well as key stakeholders involved.)</i>	Expected Outputs <i>(Outputs are concrete, objectively-verifiable results that are direct products of activities conducted or implemented.)</i>	Expected Completion Date	Stakeholders SFO, PSC, TINZ		
	Joint working group with civil society and Māori established	End March 2023			
	PS Exec training programme designed	June 2023	Lead:		
	PS Exec training rolled out as pilot	July 2023	Lead: Supporting Stakeholders:		
	CF and Corruption strategy co-designed with civil society and Māori	End of August 2023			

	CF and Corruption strategy signed off by Govt	September 2023	Govt	CSOs	Others
	Phase One of CF and Corruption strategy started	October 2023	Lead:		
	PS Exec training reviewed and embedded as BAU	August 2024			
	Phase One of CF and Corruption strategy completed	October 2024			

OGP Commitment Template

Country	New Zealand
Number and Name of Commitment	Number 8: Greater transparency of government procurement - Increase the transparency of government procurement through adoption and implementation of the Open Contracting Principles and Data Standard across all central government procurement, and through application of global best practice which is grounded in the insights from Māori and from CSOs.
Brief Description of the Commitment	<p>To transform the transparency and accountability of government procurement, through adopting and implementing the Open Contracting Principles and Data Standard (OCDS), to improve the quality of contracting information that is publicly available and accessible, from planning to final spend.</p> <p>Implementation will include the design and conduct of an education programme on the benefits of procurement transparency and its role in achieving procurement excellence.</p>

Commitment Lead	Govt	Civil Society	Others
	MBIE	TINZ, NZCCL	OAG
Supporting Stakeholders	Māori Data Sovereignty Network, Business representative groups from different sectors		
Period Covered	1 January 2023 to December 2024		

Problem Definition	<ol style="list-style-type: none"> 1. What problem does the commitment aim to address? 2. What are the causes of the problem? <p>Each year, the New Zealand Government spends \$51.5 billion on the goods and services that support public services, infrastructure, economic growth and the wellbeing of New Zealanders. How this money is spent not only determines consumer and national outcomes, it also determines the health and efficiency and the fairness and inclusivity of the public procurement system and its providers.</p>
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Overall, transparency of government spending, and in particular, the recent high levels of emergency spending relating to COVID, has been very limited. Some transparency has been achieved through Cabinet-approved mandatory rules requiring a subset of government agencies to openly advertise contracts over \$1,000,000 in value through the Government Electronic Tender Service (GETS). Further, the quality of transparency of that information has been improved, through the Ministry of Business Innovation and Employment (MBIE) publishing the GETs contract award notices as open data on a quarterly basis as from July 2019 (a result of commitment 12 in NAP3)

However, these measures notwithstanding, public notification of government contracts on GETS has been estimated to amount to only 2.5% of the actual spend. While there may be compliance issues in relation to the Mandatory Rules, the Rules themselves exempt significant provider groups from GETS notifications transparency. Exemptions apply in circumstances where, either, an agency has established a panel of suppliers (Rule 57); or else is purchasing under either an All-of-Government contract (Rule 58), or a Syndicated Contract (Rule 59) or a Common Capability Contract (Rule 60).

According priority to transparency in government procurement requires Cabinet-mandated leadership and resourcing, and the ability to educate, inform, support and enforce significant change across government procurement.

Significantly improving the extent of procurement information available will require the update of the Government procurement rules to remove all exemptions from an obligation to publish information on awarded contracts.

Significantly improving the quality and extent of procurement information publicly available and accessible, will involve adopting and implementing the Open Contracting Principles (OCP) and Open Contracting Data Standards (OCDS).

Successful implementation of the OCP and OCDS will involve:

- changing stakeholder attitudes towards procurement transparency through an education programme;

	<ul style="list-style-type: none"> • updating the Rules to incorporate transparency requirements and remove transparency exemptions; • increasing the capacity and capability of government procurement; and • improving agency access to suitable tools that will enable high quality procurement transparency; and • introducing regular monitoring and reporting on procurement transparency.
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<p>Commitment Description</p>	<p>1. What has been done so far to solve the problem?</p> <p><i>What solutions were made available for this problem in previous years? How successful have they been?</i></p> <p>MBIIEs' reform programme underway focused in 3 workstreams:</p> <ul style="list-style-type: none"> • <i>Workstream 1: Data and Transparency</i>- focused on digital platforms and tools and system performance metrics. • <i>Workstream 2: Working Together As One</i>- enable central oversight across the procurement system, introduce sector-specific procurement expertise and leadership, co-ordinate procurement projects where there are benefits in doing so, and strengthen accountability for procurement decisions and choices. • <i>Workstream 3: Unlocking Value</i> – focused on lifting the professional capability of procurement practitioners and improving business practices.
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	<p>2. What solution are you proposing?</p> <p><i>What will you do to solve the problem? How does this differ from previous efforts? In what way will the solution solve the problem? How will the solution solve the problem? Will it solve the problem in its entirety or partially? What portion of the problem will it solve, if not the whole problem?</i></p> <p>A Cabinet decision to adopt and implement the Open Contracting Principles (OCP) and Open Contracting Data Standards (OCDS) for all of the procurement undertaken by central government.</p>
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	<ul style="list-style-type: none"> • Change stakeholder attitudes towards procurement transparency through an education programme; • Update the Rules of Procurement to incorporate transparency requirements and remove transparency exemptions; • Increase the capacity and capability of government procurement; and • Improve agency access to suitable tools that will enable high quality procurement transparency; and • Introduce regular monitoring and reporting on procurement transparency.
	<p>3. What results do we want to achieve by implementing this commitment?</p> <p><i>What outputs would we like to produce? What changes in knowledge, skills, and capacities do we want to achieve? What changes in behaviour, systems, and practices do we want to create?</i></p> <p>Improve the quality of contracting information that is publicly available and accessible, from planning to final spend.</p>

<p>The Treaty</p>	<p>The proposal has potential to enhance Māori well being in this particular sector. Delivery of the commitment will need to involve tangata whenua stakeholders in order to honour te Tiriti obligations concerning partnership, active protection and equity.</p>
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<p>Commitment Analysis</p>	<p>1. How will the commitment promote transparency?</p> <p><i>How will it help improve citizens' access to information and data? How will it make the government more transparent to citizens?</i></p> <p>Adoption and implementation of the Open Contracting Principles and Data Standard will result in the public having better access to contracting information as the information will be available and published in accessible formats. Delivery of the commitment will also consider the use of accessible language so as to communicate the meaning of the information and therefore be transparent.</p>
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	<p>2. How will the commitment help foster accountability?</p> <p><i>How will it help public agencies become more accountable to the public? How will it facilitate citizens' ability to learn how the implementation is progressing? How will it support transparent monitoring and evaluation systems?</i></p> <p>The increased availability of information will aid public accountability for contract tendering, awards and spending of public money on goods and services.</p> <p>3. How will the commitment improve citizen participation in defining, implementing, and monitoring solutions?</p> <p><i>How will it proactively engage citizens and citizen groups?</i></p> <p>Publication of procurement data in open formats and with an open licence will facilitate public participation through tools to analyse the data and track spending over time. The public will be able to access and query contracting information with public agencies.</p>
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<p>Commitment Planning <i>(This is an initial planning process largely looking at milestones and expected outputs, as well as key stakeholders involved.)</i></p>					
Milestones <i>(Milestones are part of a series of actions or events that, when executed, will lead to the achievement of the result the commitment would like to achieve.)</i>	Expected Outputs <i>(Outputs are concrete, objectively-verifiable results that are direct products of activities conducted or implemented.)</i>	Expected Completion Date	Stakeholders		
Call to action issued, inviting CSOs and business representative groups to take part in the work	Initial website/pages for the commitment established and invitations to civil society groups and other stakeholders sent	End of March 2023	Lead: MBIE		
			<u>Supporting Stakeholders:</u>		
			Govt	CSOs	Others
			TINZ, NZCCL, Iwi groups Māori Data Sovereignty Network		
			OAG Business representative groups from different sectors		

Cabinet agree to remove exemptions to mandatory publication of contract awards notices and to adopt the OCP and OCDS	Drafting of Cabinet paper with CSOs and other stakeholders. Cabinet paper published	July 2023	
Work with civil society and stakeholders to design and undertake an education programme	Education programme materials published	June 2023	
Roll out education programme to all govt agencies	Education programme sessions held	November 2023	
Design and implement system changes to support increased transparency	Publish the work	March 2024	

OGP Commitment Template

Country	New Zealand
Number and Name of Commitment	Number 9: Greater transparency of the beneficial ownership of companies, limited partnerships, and trusts.
Brief Description of the Commitment	<p>To significantly enhance transparency of beneficial ownership of companies and limited partnerships through introducing legislation requiring beneficial owners' identifying information to be accessible on a transparent public register.</p> <p>This commitment is aimed at, among other things, supporting the government's work to counter foreign interference, reducing the use of company and limited partnership structures for illicit purposes, and aligning New Zealand's corporate governance requirements with international standards. Creating greater transparency of beneficial ownership will increase trust and confidence in the financial integrity of New Zealand's corporate structures and financial system.</p>

Commitment Lead	Govt	Civil Society	Others
	MBIE		
Supporting Stakeholders			
Period Covered	1 January 2023 to December 2024		

Problem Definition	<p>1. What problem does the commitment aim to address? 2. What are the causes of the problem?</p> <p><i>Elaborate on your understanding of the causes of the problem. As much as possible, identify the root causes. Utilize problem analytical tools (e.g., problem tree, five whys, fishbone diagram, or other related methods) when necessary and provide evidence whenever possible.</i></p> <p>Companies and limited partnerships are two of the most common "for profit" entities in New Zealand. The current, relevant legislation only requires those who own, and who directly run, the entities, to disclose information to the Companies Office about their identity. There is no obligation to positively disclose information about those who ultimately own or control (the beneficial owners") the company or limited partnership. There are indications that</p>
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	<p>trust structures may also be used to disguise beneficial owners.</p> <p>The lack of transparency of the ultimate ownership of these entities makes it hard to determine, for instance, who is benefiting when public funds go to private entities, whether entities are paying the correct amount of tax, involved in money-laundering or other forms of corruption. Without beneficial ownership transparency, it is unclear who, ultimately, controls and benefits from a company. For example, in cases where one company is a subsidiary of another, or where shares are owned by another company, or where other mechanisms are used to disguise beneficial ownership.</p> <p>Public access to beneficial ownership information can help detect crime, aid prosecution of the actors and deter others from using New Zealand entities for illegal activity. The current lack of transparency has been recognized as a key deficiency in New Zealand's regulatory framework to combat money laundering and terrorist financing. The Financial Action Task Force (FATF)'s Mutual Evaluation Review in 2021 highlighted that the lack of transparency of beneficial ownership information was a key deficiency in New Zealand's AML/CFT framework.</p> <p>This lack of transparency also makes it hard to determine, for instance, who is benefiting when public funds go to private entities, whether entities are paying the correct amount of tax or are involved in money-laundering or other forms of corruption.</p>
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<p>Commitment Description</p>	<p>1. What has been done so far to solve the problem?</p> <p><i>What solutions were made available for this problem in previous years? How successful have they been?</i></p> <p>Unclear.</p>
	<p>2. What solution are you proposing?</p> <p><i>What will you do to solve the problem? How does this differ from previous efforts? In what way will the solution solve the problem? How will the solution solve the problem? Will it solve the problem in its entirety or partially? What portion of the problem will it solve, if not the whole problem?</i></p> <p>Introducing legislation requiring beneficial owners' identifying information to be accessible on a transparent, public register.</p>

	<p>The government has announced that legislation will be introduced in late 2022, “following a consultation with industry stakeholders and the public”. https://www.beehive.govt.nz/release/govt-cracks-down-misuse-nz-companies</p> <p>Further details of the government’s proposals can be found on this page: https://www.mbie.govt.nz/business-and-employment/business/regulating-entities/supporting-the-integrity-of-the-corporate-governance-system/</p> <p>Work to deliver a functioning beneficial ownership system that aligns with the commitment on publishing procurement information will incorporate adoption of the Open Ownership Principles and data standards: https://www.openownership.org/en/implementation/</p>
	<p>3. What results do we want to achieve by implementing this commitment?</p> <p><i>What outputs would we like to produce? What changes in knowledge, skills, and capacities do we want to achieve? What changes in behaviour, systems, and practices do we want to create?</i></p> <p>New beneficial ownership regulation/register, developed in consultation with the public, that is fit-for-purpose, transparent and accessible.</p>

<p>The Treaty</p>	<p>Work on this commitment will need to honour te Tiriti obligations regarding partnership, active protection and equity. The commitment’s extension of beneficial ownership transparency to limited partnerships and trusts may in particular affect Māori, so tangata whenua will have to be closely involved in the delivering of this commitment.</p>
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<p>Commitment Analysis</p>	<p>1. How will the commitment promote transparency?</p> <p><i>How will it help improve citizens’ access to information and data? How will it make the government more transparent to citizens?</i></p> <p>2. How will the commitment help foster accountability?</p> <p><i>How will it help public agencies become more accountable to the public? How will it facilitate citizens’ ability to learn how the implementation is progressing? How will it support transparent monitoring and evaluation systems?</i></p> <p>Increased transparency of beneficial ownership will have multiple benefits. A public register will make it easy for</p>
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	<p>people to find accurate and up-to-date information about the beneficial ownership of companies and limited partnerships and who they are doing business with.</p> <p>Making beneficial ownership information available to the public can help detect crime, aid prosecution of criminals and deter others from using New Zealand entities for illegal activity. The disclosure of identifying information for companies, limited partnerships and their beneficial owners, will make checks on continuing compliance much easier.</p> <p>Access to beneficial ownership information can help mitigate nominee shareholder and director risks, improve financial intelligence, provide evidence to support money laundering prosecutions and mean that laws and regulations will be able to address current gaps and vulnerabilities.</p>
	<p>3. How will the commitment improve citizen participation in defining, implementing, and monitoring solutions?</p> <p><i>How will it proactively engage citizens and citizen groups?</i></p> <p>The commitment will improve public participation both through involvement in the delivery of the commitment and in enabling people to monitor beneficial ownership through greater availability of information.</p> <p>Feedback channels will be created to enable the public to raise concerns with regulators about the veracity of the beneficial ownership information published.</p>

Commitment Planning

(This is an initial planning process largely looking at milestones and expected outputs, as well as key stakeholders involved.)

Milestones <i>(Milestones are part of a series of actions or events that, when executed, will lead to the achievement of the result the commitment would like to achieve.)</i>	Expected Outputs <i>(Outputs are concrete, objectively-verifiable results that are direct products of activities conducted or implemented.)</i>	Expected Completion Date	Stakeholders														
Call to action published	Initial website/pages for the commitment established and invitations to civil society groups and other stakeholders sent	ASAP, but by end of March 2023	<table border="1"> <tr> <td colspan="3" data-bbox="1034 645 1390 696">Lead: MBIE</td> </tr> <tr> <td colspan="3" data-bbox="1034 701 1390 752">Supporting Stakeholders:</td> </tr> <tr> <td data-bbox="1034 757 1131 808">Govt</td> <td data-bbox="1134 757 1270 808">CSOs</td> <td data-bbox="1273 757 1390 808">Others</td> </tr> <tr> <td data-bbox="1034 813 1131 963">DIA FMA SFO</td> <td data-bbox="1134 813 1270 963">TBC, but will need to include Iwi</td> <td data-bbox="1273 813 1390 963"></td> </tr> </table>			Lead: MBIE			Supporting Stakeholders:			Govt	CSOs	Others	DIA FMA SFO	TBC, but will need to include Iwi	
Lead: MBIE																	
Supporting Stakeholders:																	
Govt	CSOs	Others															
DIA FMA SFO	TBC, but will need to include Iwi																
Working group with civil society and iwi groups established	Publication of joint working group, Terms of Reference, working methods. Agenda, papers, minutes, submissions, etc published on the commitment website. Email newsletters sent	Mid-March 2023															
New legislation is drafted that increases the transparency of beneficial ownership of companies and limited partnerships by requiring identifying information of beneficial owners to be made publicly available (published)	Exposure draft Bill published along with accompanying explanatory material on the policy	September 2022															
Working group develops design and works on implementation of the Open Ownership Principles and data standards		End October 2023															
New legislation is introduced to the House		April 2023															
New legislation is passed		November 2023															

Country	New Zealand
Number and Name of Commitment	Number 10 – Improve the transparency of the use of algorithms and artificial intelligence by government
Brief Description of the Commitment	<p>The Algorithm Charter for Aotearoa New Zealand was released by Stats NZ in July 2020, and a review of its impact in the first year was published in December 2021.</p> <p>This commitment contains additional active steps to improve the transparency of the use of algorithms and artificial intelligence (AI) by government agencies alongside implementing the findings from the review of the Algorithm Charter.</p>

Commitment Lead	Govt	Civil Society	Others
	Chief Data Steward, Statistics New Zealand (working with Department of Internal Affairs (Government Chief Digital Officer?))	Transparency International New Zealand, NZCCL	Māori Data Sovereignty Network Te Mana Rauranga
Supporting Stakeholders			
Period Covered	Jan 2023 to Dec 2024		

Problem Definition	<p>1. What problem does the commitment aim to address?</p> <p>Since the Charter was published in 2020 there has been a continuing increase in the amount of data collected and stored by government agencies. Commitment by individual government agencies to adopt the Charter was voluntary.</p> <p>The passage of the Data and Statistics Act (2022) creates a significantly changed regulatory environment for the collection and use of data by the government.</p> <p>Technology is moving rapidly and advanced analytical tools, like algorithms, can give rise to an exponential increase in the scale and scope of “mathematical construct” decision-making. Alongside the</p>
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exponential development and application of machine learning algorithms, new ethical problems and solutions, relating to their ubiquitous use in society, are emerging.

Public concern with the use of algorithms is growing, driven by concerns with the behaviour of tech giants in the private sector, and the publicity over the Robodebt scheme in Australia, which is now the subject to a Royal Commission of Inquiry.

These factors create an urgent imperative for a step change in the transparency of government agencies' use of algorithms and AI for data analysis and decision-making.

2. What are the causes of the problem?

Everyday decisions affecting people in New Zealand are increasingly being made by computers, not by other people. Scrutiny of the algorithms which make these decisions, particularly ethical scrutiny, is in its infancy when compared to scrutiny of policy. This problem is exacerbated by the opacity of the algorithms. In most government agencies, the details of each algorithm are hidden from almost all, or in many cases all, of the public servants who work at the agency. This inability to learn about algorithms is in stark contrast to policy, which our public servants are required to understand. The absence of meaningful oversight makes it inevitable that our systems perpetuate injustices.

The review of the Algorithm Charter in December 2021 reported varied practice, lack of available expertise and support for implementation and general capacity and capability shortfalls limiting the progress of Charter implementation. There is no evidence of any change in these findings in the last 12 months.

The public service is not well equipped to meet the commitments specified in the Charter:

- Transparency
- Partnership to honour Te Tiriti o Waitangi
- Focus on people
- Data that is fit for purpose
- Privacy, ethics & human rights
- Human oversight.

This shortfall has only been intensified by the changes in the technology, data and regulatory environment and it is clear that a significant upgrade in capability and performance is needed

Commitment Description	<p>1. What has been done so far to solve the problem?</p> <ul style="list-style-type: none"> ●One year review of charter (limited impact with recommendations not progressed)
	<p>2. What solution are you proposing?</p> <ul style="list-style-type: none"> ●Require government agencies to adopt the charter in their management of data ●Require government agencies to publish an annual report on their use of algorithms, which is subject to regular audit ●Establish a public sector community of practice on algorithm use for public sector ●Develop and publish more detailed guidance informing good practice ●Ensure available expertise is directed to the areas of greatest risk/need
	<p>3. What results do we want to achieve by implementing this commitment?</p> <ul style="list-style-type: none"> ●Increase transparency of government use of algorithms ●The Algorithm Charter is adopted by all government agencies ●All the findings in the review of the Algorithm Charter are fully implemented ●An effective community of practice supports the use of algorithms by government agencies

The Treaty	<p>The Algorithm Charter includes a commitment to:</p> <p><i>Deliver clear public benefit through Treaty commitments by: Embedding a Te Ao Māori perspective in the development and use of algorithms consistent with the principles of the Treaty of Waitangi.</i></p> <p>This commitment will include representation of Māori partners to ensure that the work honours te Tiriti o Waitangi</p> <p>This commitment should ensure that the work recognises the importance of Māori data sovereignty and ensure that this is embedded in the use of Algorithms and AI by government agencies</p>
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Commitment Analysis	<p>1. How will the commitment promote transparency?</p> <p>The commitment will increase transparency of algorithms in use, and controls around their use.</p> <p>Government agencies will be required to adopt the Algorithm Charter and are accountable for publishing the compliance of their systems and operations with the requirements of the Algorithm Charter.</p>
	<p>2. How will the commitment help foster accountability?</p> <p>Establishing and running a community of practice across the public service will build capability and consistency, and reduce the potential for algorithm use to cause harm and waste. More detailed guidance in the Charter will improve transparency and accountability for both agencies and the public.</p>
	<p>3. How will the commitment improve citizen participation in defining, implementing, and monitoring solutions?</p> <p>This will be a key factor in co-design of the work to implement the recommendations from the review of the Charter. People must be confident that improved access to information about use of algorithms by government enables them to participate in monitoring the use of algorithms, and that they will be consulted on proposals to incorporate the use of algorithmic tools in any business process that will have an effect on their rights, entitlements and services provided by government agencies.</p> <p>Algorithmic transparency builds trust and confidence of the public in their government. A lack of transparency engenders suspicion and public disengagement.</p> <p>The publication by government agencies on information about their use of algorithms will increase the ability of the public to monitor AI solutions, and thereby increase trust.</p>

Commitment Planning

(This is an initial planning process largely looking at milestones and expected outputs, as well as key stakeholders involved.)

Milestones <i>(Milestones are part of a series of actions or events that, when executed, will lead to the achievement of the result the commitment would like to achieve.)</i>	Expected Outputs <i>(Outputs are concrete, objectively-verifiable results that are direct products of activities conducted or implemented.)</i>	Expected Completion Date	Stakeholders
Establish a community of practice (CoP) on algorithm use across the public sector use the CoP to support the implementation of the findings in the Algorithmic Charter review.	Initial website/pages for the commitment established and invitations to civil society groups and other stakeholders sent	March 2023	Government Entities <ul style="list-style-type: none">• Stats NZ• Community of Practice CSOs: Transparency International New Zealand NZCCL Te Mana Rauranga Other Privacy Commissioner
Report on improvements to best practice guidance in the Algorithm Charter and possible changes to improve useability and value	Report published	December 2023	
Secure Cabinet agreement to the mandatory use of the charter by government agencies including the publication of an annual report on their use of algorithms	Cabinet paper drafted with community of practice. Cabinet paper published	31 December 2023	
Publish guidelines on how to implement the Cabinet decision, and including improvements in the Algorithm Charter	Guidelines published	31 March 2024	

Investigate and report on the mechanisms and accountabilities for ethical oversight, and audit of AI in the public service	Report published	30 June 2024	
Develop and implement plan so that the available expertise goes to address the areas of greatest need and reduce risks of harm	Plan published	31 December 2024	

OGP Commitment Template v2

Country	New Zealand
Number and Name of Commitment	Number 11 – Publication of CFISnet spending data as open data, training people on use of the data, and governance to sustain the delivery of these.
Brief Description of the Commitment	<p>a) Publish the data stored in Treasury’s CFISnet database as open data, in multiple open formats including linked open data,¹</p> <p>b) Train people in how to access and use it, and</p> <p>c) Establish ongoing governance for the publication and training activity.</p> <p>Publishing fiscal data in linked open data format will build on Commitment 11 in NAP3 and Commitment 1 (Open Budget) in NAP2 when Treasury disclosed a very small set of Crown expenditure data in an open format. This commitment would also support the work of an Independent Fiscal Institution (possibly a Parliamentary Budget Office), the fledgling commitment for which is attached at the end of this document.</p>

Commitment Lead	Govt	Civil Society	Others
	Treasury	NZCCL	Derek Gill, Open Budget Survey reviewer for NZ, and Senior Associate at the Institute for Governance and Policy Studies
Supporting Stakeholders	<p>Government: DIA - both re: Archives NZ (as owners of the work on the authoritative dataset of government organisations and AoG ontology) - and as the product owners of data.govt.nz. Stats NZ as the agency responsible for policy on open data. OAG</p> <p>Civil Society: Transparency International, NZCTU, Te Mana Raraunga (Māori Data Sovereignty Network), Iwi Data Leaders, academics, media</p> <p>Private Sector: Figure NZ, Business NZ, NZ Initiative, BERL, Motu, NZRise</p>		
Period Covered	Jan 2023 to Dec 2024		

¹ Linked Open Data is (a) a set of techniques for expressing, exposing, and publishing data, (b) a set of best practices for publishing and connecting structured data on the Web, and (c) using Web technologies to connect data that is related but stored in different locations. For further information, see: <https://5stardata.info/en/>

<p>Problem Definition</p>	<p>1. What problem does the commitment aim to address?</p> <p>(a) Spending data is only published in proprietary formats such as Excel spreadsheets, or as PDF documents. These formats are not designed to be machine-readable, thereby limiting all the opportunities for use and analyse the data that are created by automatic ingestion of data into analysis platforms.</p> <p>(b) Evidence from past efforts to increase publication of government data as open data shows less impact than is desired, because focus was placed mostly on the supply side, and not on ensuring people could develop the skills and capability to use the open data so as to benefit their own work.</p> <p>(c) Experience of previous releases of open data and training programmes indicates that unless governance structures are put in place when they're created, the maintenance of the dataset and management of the training is not sustained over time, and communications to users about changes to formats may become haphazard.</p>
	<p>2. What are the causes of the problem?</p> <p>(a) The Crown Financial Information System (CFISnet) is a line-of-business system with a secure website front end, designed by the Treasury to collect forecast and actual spending information from Government Departments, Crown Entities (CEs) and State-Owned Enterprises (SOEs).</p> <p>The data is held in this proprietary system within the Treasury, and government spending data is published as PDF documents and Excel spreadsheets, but is not published as open data. (see the Budget website)</p> <p>The reason for this is likely to be because the system was commissioned and implemented without apparently considering the benefits that could accrue from publishing the information as open data. A lot of the value of the data that is published (in Excel format) is lost or harder to access because budget information releases each year are largely viewed in isolation. This hampers civil society from analysing changes in funding over time. Addressing formats and processes for release of the data would be likely to increase the value of the data.</p> <p>(b) In relation to training on how to make use of open data, very little of this has been provided by the government to people outside government, although some was provided when there was still an Open Data Programme within Stats NZ. Emphasis was placed on</p>

	<p>increasing the supply of open data, with an assumption that civil society would have the resources to develop the skills to use the data. This has not proved to be the case, resulting in diminished impact for the work done to publish government data in open formats with licences permitting reuse.</p> <p>(c) The problems of a lack of governance come from a lack of experience with what is needed to sustainably achieve the benefits of open data - that it is not about a one-time supply side activity of publication, but an ongoing process to ensure data quality is maintained and that people make use of the data. Issues around continuity/consistency of current data releases with previous releases - both by ensuring that there are mappings from new formats/definitions to previously used ones - and by making it necessary to justify changes in reporting formats/definitions are issues faced by potential users of the data.</p>
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<p>Commitment Description</p>	<p>1. What has been done so far to solve the problem?</p> <p>(a) Publication of CFISnet data on government spending was identified as a priority in the assessment of New Zealand's Open Budget Index performance.</p> <p>Work was done under commitment 11 of NAP3 to start to construct an authoritative dataset of government organisations. A lot of what has been learned during work on that commitment - including by the Treasury - could contribute to delivering this commitment.</p> <p>Additionally, work must have taken place in the past to export data from CFISnet into Excel spreadsheets, so knowledge of what is required to export data from CFISnet will exist.</p> <p>(b) Work to establish the governance arrangements to be delivered as part of commitment 11 of NAP3 could be utilised to inform design of the governance arrangements for the CFISnet dataset(s).</p> <hr/> <p>2. What solution are you proposing?</p> <p>(a) That officials from the Treasury work with civil society and other stakeholders to decide on the tools and processes needed for publication of datasets of forecast and actual spending data exported from CFISnet, in a variety of open formats. In addition to publishing in linked open data formats via an API (e.g. JSON-LD, Turtle, XML or Triples), static CSV files should be published.</p> <p>(b) Co-design of a training programme with likely non-government users of the data, to assess skill development needs, with government funding or subsidising delivery of the training.</p> <p>(c) Publication of documentation of the data and changes to its formats and metadata, as well as a 'how-to' guide.</p>
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	<p>(d) Co-design of the governance arrangements for continued publication of the data (so as to incorporate feedback from users, for example on use of the data and any difficulties encountered) and continued delivery of training for potential users of the data, with regular reporting of the uses and feedback. The governance arrangements could also consider provision of a mechanism for people to share their work derived from the spending data (both code and data) if they choose to do so.</p>
	<p>3. What results do we want to achieve by implementing this commitment?</p> <p>The outputs will be publication of datasets of government spending data as linked open data, the delivery of training to those who want to make use of the data, and the establishment of governance arrangements for both the publication and training outputs.</p> <p>The desired outcomes/impacts will be:</p> <ul style="list-style-type: none"> ● improved knowledge, understanding and analysis of government spending, ● increased skills amongst civil society in using open data, ● use of open data on government spending to improve research, analysis and advocacy by different users of the data ● greater overall impact for the government’s work to publish open data, and ● improved systems for publication and quality management of government spending data

<p>The Treaty</p>	<p>Active Protection: Publication of granular spending data, and training potential users of the data, would enable Māori researchers and organisations to use the data to scrutinise data and use the analysis to inform negotiations with the Crown.</p> <p>Equity: Publishing the spending data as open data will enable everyone to access the data equally. By ensuring training is provided to those who cannot afford to purchase it, equitable access will be enabled, and this can enhance Māori capability and capacity.</p> <p>Ōritetanga and Partnership axes (slides 16 & 17 from TPK): Development of the publication system and training programme with the involvement of Te Mana Raraunga and other Māori stakeholders would demonstrate government commitment to the partnership commitment of the Treaty.</p>
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<p>Commitment Analysis</p>	<p>1. How will the commitment promote transparency?</p> <p>Publication of spending data as linked open data (with appropriate metadata), rather than in proprietary formats will promote transparency by making the data available for reuse in a broader range of tools.</p>
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	<p>Transparency is an act of communication not publication though, so for the data to be communicated means having people who can understand the data in order to be able to use it. This is why the commitment also includes work to deliver training on how to use the data. Co-design of the training programme will help ensure the training is effective.</p>
	<p>2. How will the commitment help foster accountability?</p> <p>Improving the accessibility of information (and facilitating analysis) on what money the government spends, particularly in comparison to what was initially estimated to be needed, will improve the accountability of officials and ministers for spending public money.</p> <p>Involving civil society and other stakeholders in the design of the training and in the governance mechanisms will foster the accountability of government in the work on these deliverables.</p>
	<p>3. How will the commitment improve citizen participation in defining, implementing, and monitoring solutions? How will it proactively engage citizens and citizen groups?</p> <p>Publishing spending and estimates data as linked open data increases the range of tools and techniques that can be used to analyse and report on the data. This will contribute to better informed citizen participation in discourse about government spending choices and in evaluation of government programmes of activity.</p> <p>But to improve citizen participation, people need to have the skills to use the data. This is why the commitment includes design and delivery of a training programme (and governance mechanisms to sustain it).</p>

Commitment Planning			
<i>(This is an initial planning process largely looking at milestones and expected outputs, as well as key stakeholders involved.)</i>			
Milestones	Expected Outputs	Expected Completion Date	Stakeholders
Call to action published	Publication of initial web page about commitment - calling for people to join project team	Mid-March 2023	Lead: Treasury/NZCCL
			Supporting Stakeholders:
			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">Govt DIA, Stats NZ</td> <td style="width: 25%;">CSOs TINZ, Derek Gill, NZCTU, Te Mana Raraunga</td> <td style="width: 50%;">Others (eg Parliament, private sector) OAG, FigureNZ, NZ Initiative,</td> </tr> </table>
Govt DIA, Stats NZ	CSOs TINZ, Derek Gill, NZCTU, Te Mana Raraunga	Others (eg Parliament, private sector) OAG, FigureNZ, NZ Initiative,	

					BERL, Motu, NZRise
Establishment of project team for the commitment	Publication of membership, working methods. Agenda, papers, minutes, submissions, etc published on the commitment website. Email newsletters sent.	Mid-April 2023			
Project plan agreed and published	Production and publication of commitment project plan	Mid-May 2023			
Agree initial choices of publication methods and file formats - APIs and static datasets and frequency of updating	Publication of initial choices for file formats, publication methods and frequency, to enable consultation with public/stakeholders. Feedback received is published.	End July 2023			
Co-design of governance structure	Publication of initial proposals for governance structure for maintenance of the data publishing and training and communication activities. Feedback received is published.	End August 2023			
Information gathered on training and documentation needs to use the data	Publication of information gathered	End September 2023			

Agreement on file formats and publication methods, frequency of updating	Govt estimates and actual spending data from CFISnet published as in open formats, including linked open data	End November 2023 (publishes Budget 2023 data)	
Co-design of training programme to meet the needs of users	Co-design workshop for training programme. Publication of results and the training programme.	End October 2023	
Governance structure established	Holds first meeting, publishes papers and minutes	February 2024	
First round of training on how to use the dataset (and open data)	Training delivered, and feedback gathered/evaluation conducted	February 2024	
Annual reports on the use of the CFISnet data published	Statistics (e.g. download counts), user satisfaction surveys, and assessment of the quantity and quality of derived works	End July 2024 (after use of the data published at Budget 2024)	

Country	New Zealand
Number and Name of Commitment	Number 12 – Create an independent fiscal institution.
Brief Description of the Commitment	Complete the detailed policy work required to create an independent fiscal institution. Work has already been done on a proposal to improve New Zealand’s fiscal policy framework through establishing an Independent Fiscal Institution. This would: provide for independent evaluation and commentary on New Zealand’s fiscal policy performance; improve parliamentary scrutiny of public finances and fiscal policy, and provide for independent costings of political party policies to better inform public debate. However work is needed to finalise the proposals, and doing this in the context of an OGP commitment would be appropriate, since it provides a framework for co-design with civil society, the private sector, and political parties outside government.

	This commitment would build on publication of fiscal data in linked open data format (proposed commitment 11, above) as well as building on Commitment 1 (Open Budget) in NAP2 when Treasury disclosed a very small set of Crown expenditure data in an open format.		
Commitment Lead	Govt	Civil Society	Others
	Treasury	TBC	Derek Gill, Open Budget Survey reviewer for NZ, and Senior Associate at the Institute for Governance and Policy Studies
Supporting Stakeholders	<p>Government: Office of the Clerk of Parliament, Office of the Auditor General</p> <p>Civil Society: Transparency International, Hui EI, NZCTU, academics</p> <p>Private Sector: Business NZ, NZ Initiative, BERL, Motu, NZRIse</p>		
Period Covered	Jan 2023 to Dec 2024		

Purpose	<p>Treasury consulted on: Establishing an Independent Fiscal Institution (treasury.govt.nz) in 2019. See also New Zealand's Fiscal Policy Framework: Establishing an Independent Fiscal Institution - Summary of Submissions on the September 2018 Discussion Document (treasury.govt.nz) and Submissions and Advice - New Zealand Parliament (www.parliament.nz).</p> <p>Decisions on the functions of an IFI were agreed by Cabinet in 2019. https://www.treasury.govt.nz/publications/information-release/independent-fiscal-institution-information-release</p> <p>However, the proposal did not garner sufficient political support at that time and would require cross-party support to proceed as an Office of Parliament. With changes in opposition party leadership, the political situation changed and cross party support is now available in 2022.</p> <p>This commitment would also contribute to implementing the 'foster a culture of open government' principle in section 12 of the Public Service Act - since 'open government' axiomatically includes public participation.</p> <p>The detailed design of the IFI such as the proposed Parliamentary Budget Office offers an opportunity for co-design of the proposal in relation to public participation. Those at the coalface of delivering services often have the greatest knowledge of the challenges and often hidden costs, they could - if the input-seeking were well-structured - provide useful input to the IFI's analysis.</p>
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