



Proactive release of information

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Background

Agencies should ensure they have a comprehensive policy concerning the proactive release of information they hold, which includes how to maximise the benefits of proactive release while also managing risks that may arise from the release of certain types of information.

- Dame Beverly Wakem, Not a Game of Hide and Seek

- **OGP Milestone 5** – *Improve access to official information by publishing responses to requests on government websites and developing principles for more proactive release.*
- **OGP Milestone 3** – *Develop a clear statement of government policy on proactive release of Cabinet papers and related material.*



Purpose of guidance

- To assist agencies to develop internal policies and practices that:
 - support increased proactive release (including publishing appropriate OIA responses)
 - ensure that employees exercise caution and due diligence before making official information available and assess the potential effect of releasing the information.



Publication considerations

- You need to consider any potential liability, whether civil or criminal, that might result from any type of publication.
- As S48 protections don't apply, think about:
 - consulting other agencies to allow them to conduct their own risk assessment
 - Risks of particular types of information, such as employee names.



OIA responses

- S48 – no protection for OIA responses, so need to consider as for other types of publication.
- May need to reassess risk of publishing response under OIA vs proactive release.
- Guidance includes good practice considerations that can help manage risk, such as publishing contextual information.



QUESTIONS?

