

In confidence

STATE SERVICES COMMISSION
Te Komihana O Ngā Tari Kāwanatanga



Ref: 2271388

Mr Sanjay Pradhan
Chief Executive Officer
Open Government Partnership
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Dear Mr Pradhan

Strategic Refresh of the Open Government Partnership

Thank you for your letter of 22 May 2017 to Hon. Paula Bennett, Minister for State Services, about the strategic refresh of the Open Government Partnership and upcoming annual financial contributions towards the programme. She has referred your letter to me for reply.

The New Zealand government will continue its annual financial contributions, recognising the important role the Open Government Partnership plays in promoting better governance internationally. I note that your letter welcomed suggestions on the work of OGP international, in the context of its strategic refresh. I would like to take this opportunity to share with you my concerns about the one-size-fits all model the OGP is applying across countries. There are significant differences between member countries in terms of the context for the OGP, and its potential impact as a stand-alone programme. I would suggest that more needs to be done to recognise this in the way the programme operates.

One-size-fits-all model

I encourage you to consider replacing the one-size-fits-all approach with a multi-track model. There is a need for OGP to recognise that, at least in New Zealand, many government initiatives that increase openness, transparency and civic participation take place outside the OGP National Action Plan, driven by other imperatives. There needs to be better recognition by OGP of the full picture of open government-related activity already under way. Outside of New Zealand's OGP National Action Plan, the better public service reforms, led by the Head of State Services, are creating a strategic focus and action towards a "trusted, leading-edge public service". As part of this there is significant work on improving government agency practices around the Official Information Act (1982). In any case, the rigid OGP time-table requirements place the process of National Action Plan development outside the normal budget cycle of the New Zealand government, limiting its potential as a core tool of open government reform.

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Co-creation

There is a need for a more permissive approach to local models of co-creation and citizen-centred governance, as well as recognition that most co-creation between government and citizens in New Zealand occurs well outside OGP processes. The OGP model of co-creation overlooks other ways that citizen voices are brought into government decision-making in New Zealand. These include parliamentary representation, Select Committees and requirements for public consultation as well as elected boards governing schools and hospitals and a plethora of local government functions. OGP also needs to recognise a unique aspect of New Zealand's governance: the partnership between the government and Māori founded in the Treaty of Waitangi.

OGP could usefully develop a more nuanced approach to citizen engagement beyond National Action Plan co-creation requirements. The New Zealand public service is increasingly focused on ensuring it hears from a more diverse array of voices – not just those who represent organised civil-society groups. It is also moving beyond merely involving people in co-creation processes to developing other tools to better understand citizens' experiences. The OGP model under-values data, evidence and analytics. We think these are also critical in bringing an objective and fully representative picture of citizens' lived experiences into policy making.

Expansion of OGP focus

The strategic refresh document expresses OGP's strong expectation that National Action Plans must include transformative commitments on the biggest challenges facing societies such as climate change, sustainable development goals and health and education. Not only does this not take into account the significant work the New Zealand government already has under way in these areas, but it also takes OGP well beyond its original mandate. It seems at odds with the OGP declaration's recognition "that each of us pursues an approach consistent with our national priorities and circumstances and the aspirations of our citizens". Widening out OGP's focus would undermine the original powerful focus of the OGP programme on promoting government openness, transparency, citizen participation and anti-corruption, and our preference would be to re-focus on these goals.

Judging quality by the numbers

Throughout the strategic refresh document, ambition and impact appear to be judged by the quantity of commitments in National Action Plans. There is a risk that in implementing this approach OGP might ignore the relative size and ambition of any one commitment, and introduce a 'numbers game' that would drive down the quality and impact of National Action Plan commitments. This seems counter-productive and instead I encourage you to consider other ways in which the public value of commitments can be measured.

Involvement of governments as partners

A strong feature of the original OGP vision was building an effective and robust partnership between governments and the governed. The partnership aspect, and the role of governments within it needs more attention in implementing the strategic refresh: at present the focus seems to be on moving the OGP more in the direction of NGO activism than government – non-government partnership. Governments of mature stable democracies are well placed to play a greater role in contributing to development of the OGP. My hope would be that the OGP could draw signatory governments into the process of setting and agreeing direction for the OGP at an earlier stage to ensure this works at a practical level.

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OGP governance and institutions

The strategic refresh document expresses an ambition to increase the size and functions of the OGP international bureaucracy. From a New Zealand perspective, we do not require additional support. Since there are already several international government-funded organisations such as the World Bank, the OECD, and the UNDP working in this area, I suggest OGP could seek to better leverage their resources first before seeking to expand its own operations. If change is sought, a much stronger case would need to be made. Further, signatory governments should be formally consulted on their agreement to extending the size and changing the functions of the OGP institutions, and to seeking new donors, along the lines proposed.

In conclusion, based on New Zealand's experience with the OGP to date, its great value is in encouraging countries to have a planned approach to extending government openness, transparency and civic participation and combatting corruption. It can better realise this value if its approach is nuanced to reflect the different contexts and stages of each country's development. It could leverage more value into international collaboration by acknowledging the strengths of member countries such as New Zealand, outside of as well as within their OGP National Action Plan commitments. Finally, I would caution against creating another large international bureaucracy in a space that is already well-populated with other players.

The State Services Commission would be happy to discuss our perspective further with you.

Yours sincerely



Debbie Power
Chief Executive and Deputy State Services Commissioner