



Te Kawa Mataaho
Public Service Commission

Official Information Forum

27 February 2024:

OIA New Practitioners

*Microphones off please,
cameras optional*



Agenda

1.00pm: Welcome & Context

Greg Nicholls, Te Kawa Mataaho Public Service Commission

1.10pm: An introduction to the resources and networks available

Bronwyn Deane-Royce and Leilani Vitaliano, Office of the Ombudsman

Greg Nicholls, Public Service Commission

1.45pm: Break

1.50pm-2.30pm: Expert panel

Office of the Ombudsman, experienced OIA practitioners from the Ministry of Housing and Urban Development, Ministry of Defence and Ministry of Culture and Heritage



Public Service Act 2020

PURPOSE

The Public Service supports constitutional and democratic government, enables both the current Government and successive governments to develop and implement their policies, delivers high-quality and efficient public services, supports the Government to pursue the long-term public interest, facilitates active citizenship, and acts in accordance with the law.

MĀORI CROWN RELATIONSHIPS

The role of the Public Service includes supporting the Crown in its relationships with Māori under the Treaty of Waitangi/Te Tiriti o Waitangi

PRINCIPLES

Foundational principles of the Public Service acting in our constitutional role

politically neutral **free and frank advice** **merit-based appointments**
open government **stewardship**

VALUES

The behaviours needed to deliver the purpose of the Public Service

impartial **accountable** **trustworthy** **respectful** **responsive**

Spirit of Service

The fundamental characteristic of the Public Service is acting with a spirit of service to the community.



Official Information Forum February 2024

Ombudsman's guidance and resources
for agencies

Ombudsman roles & powers



- Resolve and investigate complaints (OA, OIA, LGOIMA)
- Resolve complaints about Children in Care
- Undertake systemic investigations (OA)
- Monitor and inspect places of detention (OPCAT)
- Monitor performance under Disabilities Convention
- Receive protected disclosures under the PDA

Official information legislation



Official Information Act 1982: to progressively increase the amount of official information available to the public

Local Government Official Information and Meetings Act 1987: promote the open and public transaction of business at meetings of local authorities

Recordkeeping

Public Records Act 2005, sets out a mandatory requirement for agencies to '**create and maintain full accurate [and *accessible*]** records of its affairs'

Part 2

Recordkeeping requirements

Subpart 1—Key duties

17 Requirement to create and maintain records

- (1) Every public office and local authority must create and maintain full and accurate records of its affairs, in accordance with normal, prudent business practice, including the records of any matter that is contracted out to an independent contractor.
- (2) Every public office must maintain in an accessible form, so as to be able to be used for subsequent reference, all public records that are in its control, until their disposal is authorised by or under this Act or required by or under another Act.
- (3) Every local authority must maintain in an accessible form, so as to be able to be used for subsequent reference, all protected records that are in its control, until their disposal is authorised by or under this Act.

Categories of official information



Part 2

requests for official information (three refusal categories)

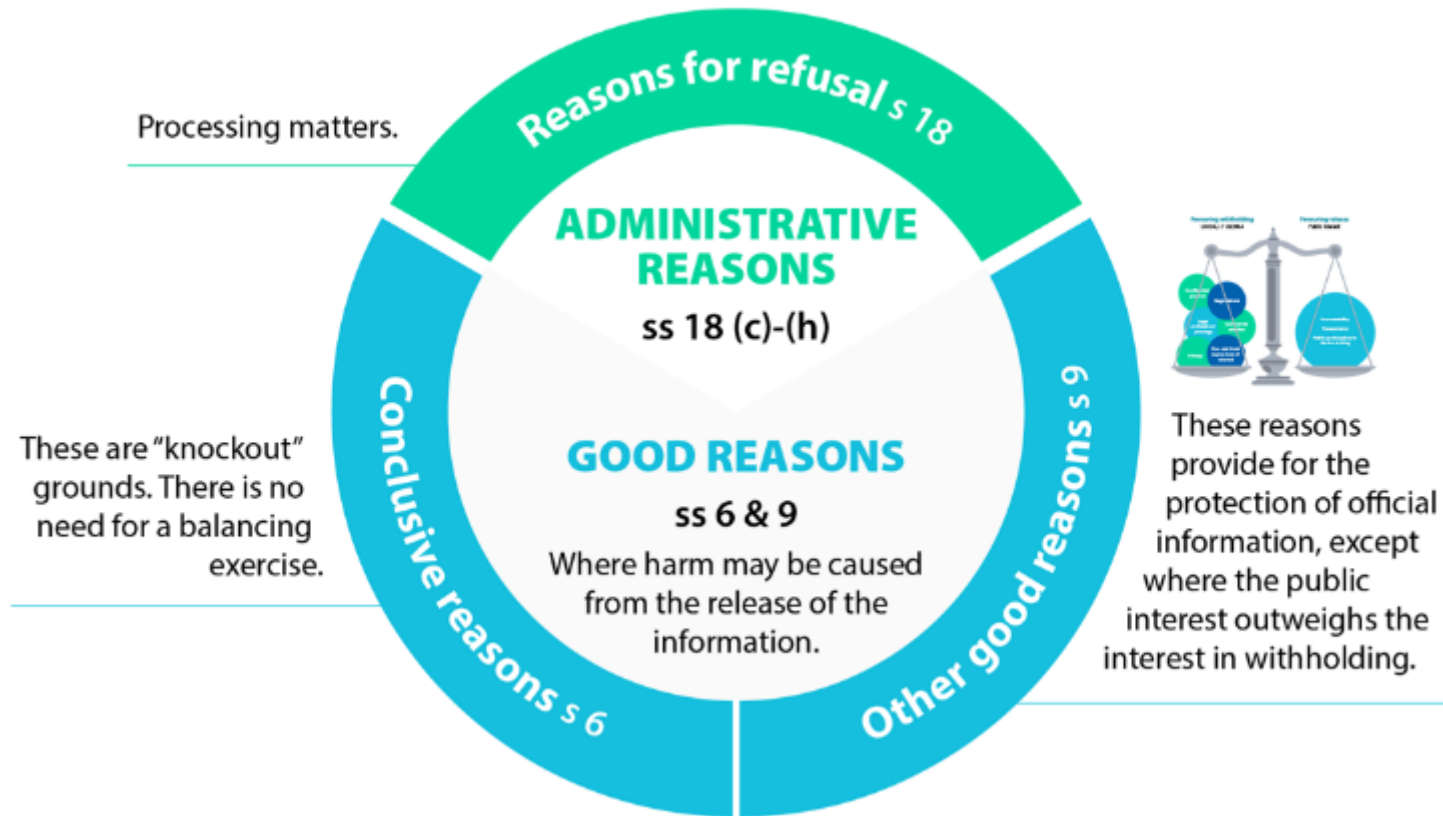
Part 3

requests for **policies, guidelines and rules**; and
requests for **reasons why a decision was made**

Part 4

a request by a **corporate entity** for information **about itself**

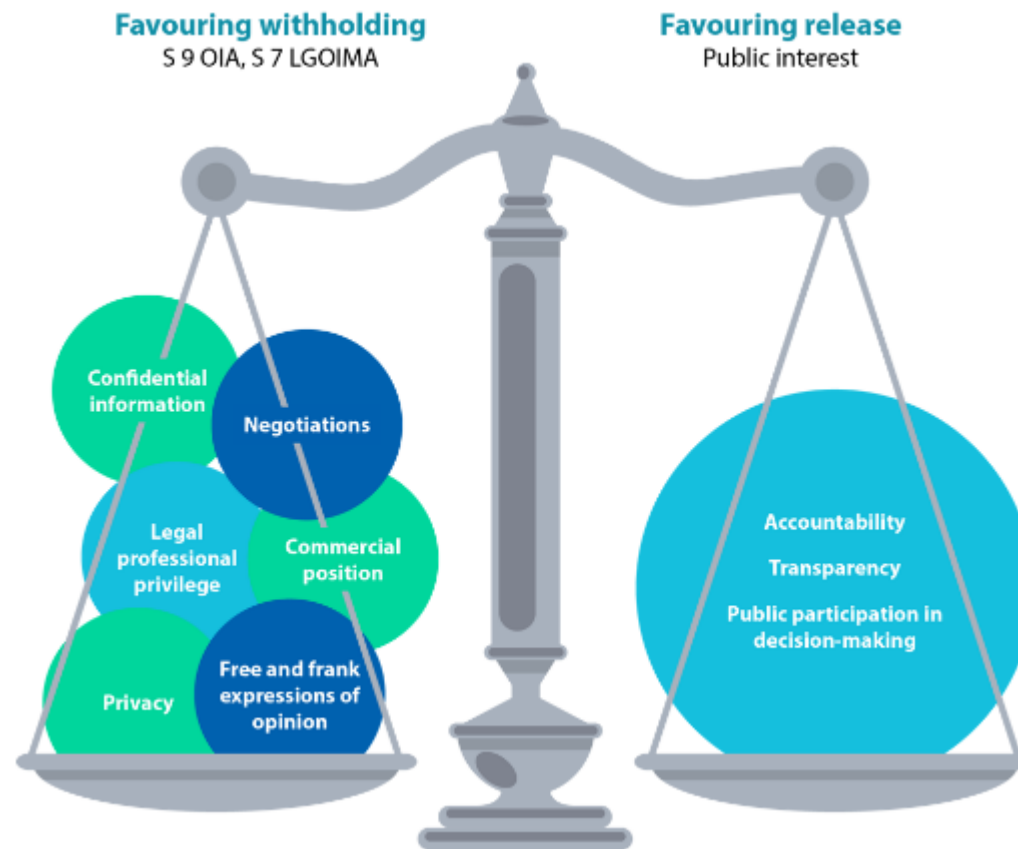
Refusing requests



Whenever you refuse a request for official information you must advise the requester of:

- The **reasons** for the refusal
- The grounds in support of those reasons (if requested)
- The requester's **right to complain** to the Ombudsman and seek an investigation and review of the refusal

Balancing competing public interests



Ombudsman's review role under the OIA

The OIA grants the Ombudsmen authority to investigate:

- **refusals** of requests
- **delays** (which are deemed to be refusals)
- **extensions**
- **charges** for supply
- **manner of release**; and
- **conditions** on use, communication, publication of information

Other procedural issues may be looked at under the OA (**transfers**)



Ombudsman approach to OIA complaints



- Ombudsman provides independent investigation and review
- Look at the agencies decisions on request and its handling
- Take an early resolution approach where possible – may ask an agency to reconsider its approach
- Investigation not “adversarial” process – opportunity to improve practices and processes.
- Final opinion and recommendation/s

OIA and Media requests

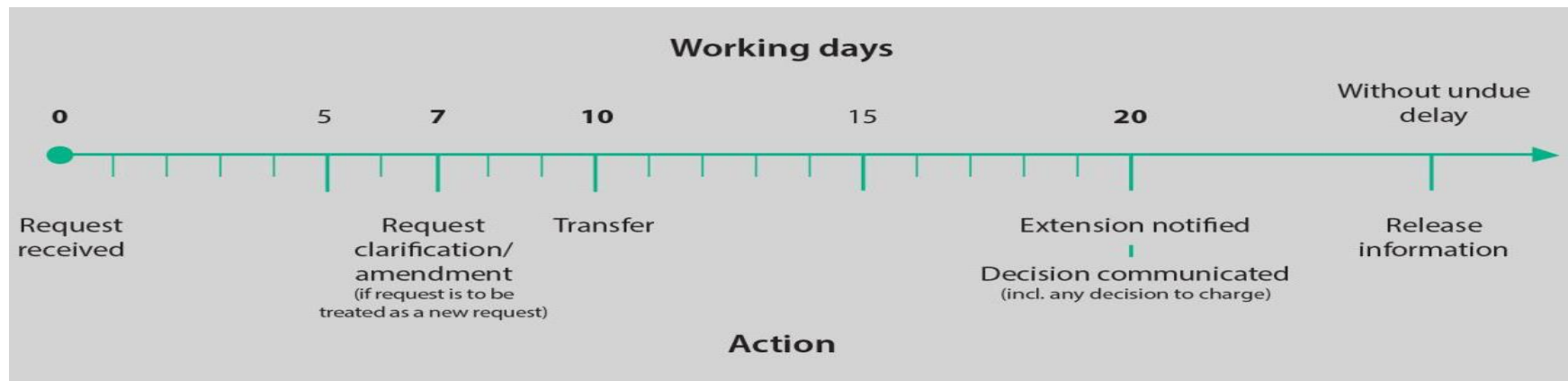


- The OIA covers all OI requests to Agencies – including media requests
- Be mindful of responding too quickly – ensure you have allowed time to collate and to review the information before making a decision, but there is no reason to delay in responding to a straightforward request
- Media and OIA processes need to be aligned
- Ombudsman encourages agencies to log/report quick-fire requests – and will improve timeliness figures

Maximum time limits

Section 15 of the OIA indicates that a request should be answered -

'As soon as reasonably practicable, or at the latest within 20 working days, after receiving the request'.



Time limits start the day after the request is received.

In the OIA a **working day** does not include weekends/public holidays or any days between 20 December to 10 January.

Note: a requester can ask for the request to be treated urgently, if they give reason for this.



OIA calculator

Government agencies must generally answer official information requests within 20 working days.

This tool calculates the latest date that an agency must send a response.

Please note that recent statutory changes to LGOIMA response times haven't been built into this calculator.

For more information about the [changes to LGOIMA](#), please see our guide.

Enter the date the agency received the request:



Calculate latest date

Close calculator ^

Ombudsman approach to Delay Deemed Refusals



The approach to Delay Deemed Refusals (DDRs) focuses on legal obligations in terms of statutory timeframes – encourage better agency performance:

- Ombudsman more inclined to investigate and form final opinions in this particular area.
- Lack of resources is not an excuse for non-compliance with statutory timeframes – need for contingency planning
- Also utilise the mechanism in the OIA (extensions)
- Effective and adequately resourced OIA systems and processes.

OIA 'Own Motion' Investigation



“Ready or not” revisited the original 12 agencies from Not a Game of Hide and Seek
Overall, core public service is increasingly transparent and open -proactive release BAU
Improvement areas (resourcing, media requests, training, ministerial notifications and “reasonably practical”, record-keeping in general).

The Ombudsman and their role

Ko Te Kaitiaki Mana Tangata me tāna mahi

The Ombudsman's compliance role – investigation and review
Ombudsman's training and guidance functions



Advice and training

Kupu āwhina me te whakangungu

What the Ombudsman helps with

The Ombudsman can give you advice, clarification, or training on:

- the OIA or LGOIMA
- good administration and decision-making
- proactive release of information
- developing policies and procedures
- managing unreasonable complainant conduct
- developing or changing your internal complaints handling process.



Resources for agencies

He rauemi mō ngā umanga

The guides typically:

Explain the subject matter

Provide:

- Case studies

- Step-by-step worksheets

- Template letters

Point to any other related guides or opinions and case notes



The image shows the cover of a guide from the Ombudsman. The Ombudsman logo is in the top left, with the tagline 'Fairness for all'. A blue leaf graphic is on the right. The title 'The OIA for Ministers and agencies' is in the center, with a 'Guide' label in a blue box. Below the title is a subtitle: 'A guide to processing official information requests'. At the bottom, there is a paragraph of text explaining the guide's purpose.

Ombudsman
Fairness for all

Guide

The OIA for Ministers and agencies

A guide to processing official information requests


The purpose of this guide is to assist Ministers and government agencies in recognising and responding to requests for official information under the [Official Information Act 1982](#) (OIA). This guide focuses on processing requirements. Separate guidance is also available on making a decision whether or not to grant a request and release information, and in relation to particular subject areas, [here](#).



TE PUNA MĀTAURANGA

Kaitiaki Mana Tangata Aotearoa | Ombudsman New Zealand

Chief Ombudsman's OIA Self-Assessment tool

 Print this page



Agency assistance

Āwhina umanga



Ph: 0800 802 602.
Email: info@ombudsman.parliament.nz
Website: <http://www.ombudsman.parliament.nz>





**Official information
resources and networks**

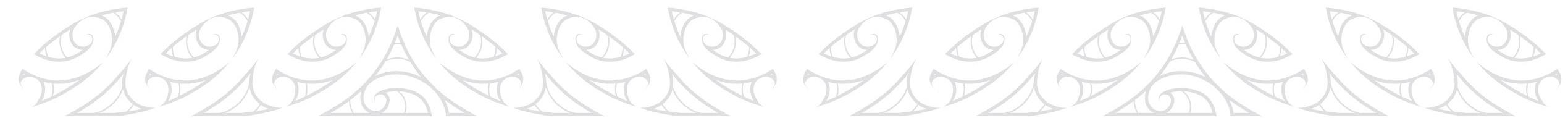
Te Kawa Mataaho - Official information work programme

Three key areas aimed at lifting agency performance:

- Compliance with the letter and spirit of the Act
- Proactive release of information
- Building capability

Expectations:

- Chief Executives of agencies covered by the OIA drive the changes needed to improve compliance with the letter and spirit of the Act.
- Strong, coordinated leadership from the Public Service Commissioner and the Chief Ombudsman, supported by CEs, is critical for driving up system performance.



Why a focus on proactive release?

- Supports greater openness and transparency in government
- Enables the public to understand and engage with decision-making
- Strengthens accountability of decision makers and the advice provided by the Public Service

Ideally leading to...

- Increased trust and confidence
- Higher engagement
- Increased participation in democratic processes

Consistent with the spirit of the OIA & the principle of availability: *information shall be made available unless there is good reason for withholding it.*



Pārongo Ōkawa

Official information

SECTION 01

Aratohu OIA mā ngā umanga
OIA guidance for agencies

SECTION 02

Raraunga OIA
OIA statistics

SECTION 03

Pānui tika
Proactive release

SECTION 04

Kete whakawhanake āheinga
Capability development toolkit

SECTION 05

Wānanga Pārongo Ōkawa
Official Information Forum

SECTION 06

Ngā take wānanga me ētahi atu rāuemi
Case studies and other resources

SECTION 07

Tono Ture Pārongo Ōkawa
Official Information Act Requests

Pārongo Ōkawa

Official information

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13 December 2017

Being open and transparent supports New Zealanders' trust and confidence in their government agencies. When New Zealanders ask for information, government agencies need to be responsive.

Te Kawa Mataaho Public Service Commission has a lead role in providing advice and assistance to agencies on the management of official information and is committed to improving agency practices in this area through a major work programme that was established in late 2016.

We are looking to chief executives of all agencies covered by the Official Information Act (1982) to drive the changes needed in their organisations to improve compliance with the letter and spirit of the Act.

↗ [Official Information Act 1982](#)

If you would like to make an OIA request to Te Kawa Mataaho, we provide guidance to help you do that.

→ [Official Information Act Requests](#)

SECTION 01

Aratohu OIA mā ngā uman...
OIA guidance for agencies



01

Aratohu OIA mā ngā umanga OIA guidance for agencies

Managing OIA requests

Guidance for practitioners

The guidance for practitioners covers different aspects of responding to a request for official information with hints and tips to help agencies manage and respond to these. It complements the guidance published by the Office of the Ombudsman.

- [Processing an Official Information Act Request \(PDF, 202 KB\)](#)
- [Contacting requesters \(PDF, 158 KB\)](#)
- [Minister and Agency Official Information Requests \(PDF, 144 KB\)](#)
- [Extensions and the Official Information Act - Section 15A \(PDF, 130 KB\)](#)
- [Information Requests Requiring Substantial Collation or Research \(PDF, 191 KB\)](#)
- [Transferring Information Requests - Section 14 \(PDF, 141 KB\)](#)

[Resources and publications — Ombudsman New Zealand](#)

Practice notes

The OIA practice notes provide specific guidance on the application of some areas of the OIA.

- [OIA requests for draft reports, correspondence and advice \(PDF, 230 KB\)](#)

Acting in the Spirit of Service: Official Information
Processing an Official Information
Act Request
PRACTITIONER GUIDANCE



This guidance provides an overview of the steps involved in responding to a request for official information. It provides hints and tips to help you complete requests in a timely and effective way.

What you need to know

- All information held by an agency subject to the Official Information Act 1982 (OIA), or a Minister of the Crown in his or her official capacity, is official information.
- A request for official information does not need to refer to the OIA, can be communicated by any means (including orally or by social media) and can be made to any person in the agency.
- You must make a decision about whether you will release the information requested and communicate it to the requester 'as soon as reasonably practicable' and no later than 20 working days after the request is received unless you have extended the time limits for response.

Key timeframes

- The working day count starts the day after a request is received by an agency.
- If a request is refined within seven working days it can be treated as a new request.
- You have ten working days to transfer a request unless you extend the time limit to transfer.
- You have 20 working days to extend the time limit for making and communicating a decision to the requester.
- You have 20 working days to make and communicate a decision to the requester unless you extend the time limit.

Aim to complete the first five steps in three days

- 1 Consider the request and who should respond
- 2 Allocate responsibility and acknowledge request
- 3 Scope the response
- 4 Establish a timeline
- 5 Gather relevant information
- 6 Analyse and consult
- 7 Extend the time limit, if necessary
- 8 Draft the response
- 9 Consult or notify the Minister, if appropriate
- 10 Obtain approval and send the response
- 11 Consider publishing response and information on your website
- 20 Meet the 20 working day timeframe.

4 Updating a requester about the progress of a request

Talking to a requester

When you call the requester, you should:

- explain who you are and why you are calling;
- if you are calling in relation to a Ministerial OIA request, explain why an agency is calling not the Minister's office;
- summarise their request;
- tell them the limits or difficulties with responding to their request;
- listen to their comments or suggestions;
- discuss options and suggest a solution;
- repeat back to them what you are going to do and follow up in writing.

Why call?

Calling is generally more effective than email:

- it's faster
- it's more personal
- it can reassure the requester that their request is being dealt with as efficiently as possible
- it can foster a positive relationship.

But if the requester isn't comfortable talking to you, don't push them into it. They may prefer you to write or email. If you do email the requester, make sure that you are very clear about the reasons you are emailing and what you want from the requester.

Providing context

Help the requester by understanding their needs and providing background or context. Don't assume they already know exactly what they were requesting, or what might be available.

You could:

- outline the different kinds of information that might meet the terms of the request;
- give the requester advice about catalogues, indices or lists to help them understand the sort of information held by the agency.

Establishing relationships

It is important to show empathy. The requester may find dealing with a government agency intimidating or confusing. It's important to treat them with empathy, attention and respect.

While it is important to reassure the requester, keep the tone of your discussion professional.

Dealing with difficult requesters

Sometimes a requester's behaviour may be challenging. In these cases:

- stay calm and matter-of-fact if they get angry;
- listen closely;
- respond with empathy, attention and respect;
- have clear boundaries and don't stay on the call if you are abused;
- focus on tasks, choices and consequences;
- be consistent;

Chief Executives and Ministers should be clear about their respective roles and decision-making responsibilities in relation to Official Information Act 1982 (OIA) requests. Some OIA requests received by agencies will need to involve the responsible Minister. It is important for agencies to have clear and transparent processes for dealing with such requests.

This guidance provides a useful starting point for agencies and their Ministers to discuss and agree upon clear criteria for managing OIA requests involving the Minister.

Cabinet Manual Guidance

The Cabinet Manual provides the primary set of guidelines adopted by each administration as the standard of conduct. It outlines, among other things, the relationship between Ministers and the State sector, and how this should be managed.

The Cabinet Manual states that as a general rule, agencies should inform Ministers promptly about matters of significance within their responsibilities, particularly where these matters may be controversial or may become the subject of public debate. This is often referred to as the 'no surprises' approach. Responses to an OIA request may need to be advised to the Minister's office under a 'no surprises' approach.

The Cabinet Manual advises chief executives to exercise judgement about how and when to inform a Minister about any matter for which the chief executive has statutory responsibility and to ensure that the independence of the chief executive's decision-making process is maintained.

To achieve this, agencies will need to work with their Minister to identify which OIA requests may need their involvement and the appropriate mechanism to handle them.

Consulting the Minister

Responsible Ministers may have a legitimate interest in OIA requests received by their agencies. Agencies may consult Ministers about the decision they propose to make on an official information request.

There are a number of reasons why agencies may wish to consult Ministers about agency OIA

In certain circumstances the OIA allows agencies to extend the time limits for making decisions on requests. Extending the time limits to make a decision on a request is one of the tools for managing organisational pressures associated with OIA requests.

This guidance is intended to provide a useful starting point for agencies to determine how to use the extension provision in [section 15A](#) of the OIA.

Which time limits can you extend?

Section 15A allows you to extend:

- The time limits for making and communicating a decision to a requester; and
- The time limits to transfer a request to another agency.

You must advise the requester of your decision to extend the time limits within 20 working days after the day on which your agency first received the request. An extension is not valid if you do not give the requester notice within this time period.

When can you extend?

You can extend the time limits on a request if:

- The request is for a large quantity of information and the agency can't make a decision within the 20 working day time limit without this unreasonably interfering with the operations of the agency.
- The request requires a search through a large quantity of information and the agency can't complete the search within the 20 working day time limit without this unreasonably interfering with the operations of the agency.
- The agency is considering transferring a request and is consulting with other agencies about this and can't complete this within the ten working day time limit in section 14 of the OIA.
- The agency is consulting in order to make a decision on the request and can't reasonably complete this within the 20 working day time limit.

Large and broadly framed requests for official information can often cause difficulties. This guidance is intended to provide a useful starting point for agencies to determine how to apply the provisions relating to substantial collation or research to manage these types of requests.

Managing large requests

When you receive a request, your first task is to make sure you can clearly identify what is being requested. If the request is so vague that you can't understand what the requester is asking for, then you will need to decide whether the request meets the 'due particularity' test in section 12(2) of the Official Information Act 1982 (OIA).

If you can't understand what the requester is seeking you need to offer reasonable assistance, as set out in section 13, to enable to requester to make their request. If it is clear what the requester is seeking, you will need to determine how easily you will be able to respond to the request.

Section 18(f)

Among the administrative reasons for refusing a request for official information, section 18(f) of the OIA provides that a request may be refused if 'the information requested cannot be made available without substantial collation or research'.

If you believe that the request will:

- involve assembling large quantities of information; or
- require long periods of research, or assessing a large amount of information to determine whether that is within the scope of the request, which will mean that staff will not be available to undertake other parts of their roles;

you may wish to consider whether there are any tools in the OIA to help you manage that administrative burden, including whether you should refuse the request under section 18(f).

Simply asserting that the information requested cannot be made available without substantial collation or research without doing some research and having evidence to support this decision will not be acceptable to an Ombudsman if the requester makes a complaint.

What is 'collation or research'?

Collation or research is to do with the process of finding and assembling the information in one place in the form sought by the requester, such as:

- identifying the requested information
- determining whether the requested information is held

This guidance is intended to provide a useful starting point for agencies to determine which requests they must transfer and how to make that transfer.

What does the OIA require?

[Section 14](#) of the OIA requires agencies to transfer requests if:

- Some or all of the information is not held by the agency, but is believed by the person dealing with the request to be held by another agency subject to the OIA or Local Government Official Information and Meetings Act 1987 (LGOIMA), or Minister; or
- The person dealing with the request believes that some or all of the information is more closely connected with the functions of another agency, or Minister.

These are the only circumstances in which you can transfer a request.

The OIA does not support agencies applying a policy of transferring all requests from a particular source (for example, media requests), or all requests about a particular subject. You must assess the specific information requested on a case by case basis to determine if there are grounds to fully or partially transfer a request.

The Ombudsman has listed the following factors as a guide for deciding whether information is more closely connected with the functions of another agency or Minister.

- The author of the information - did another agency or Minister create the information, or provide the information to your agency?
- The subject of the information - does the information relate to another agency, or Minister's activities or functions?
- The context of the information - does another agency, or Minister have overall responsibility or leadership for it

Consulting about the proposed transfer

It is a good idea to consult the agency or Minister's office before transferring a request to them. Consulting helps determine whether or not the transfer should go ahead. The questions you may wish to ask are:

- Have they already received the same request?
- Are they the right agency to receive the transfer?
- Who within the other agency should the transfer be addressed to?
- Does your agency need to transfer any information it holds along with the request, or does the other agency already hold all the relevant information?

Consulting will also minimise the risk of 'bounce-backs', if the other agency or Minister disagrees that the information is more closely connected with its functions and returns the request to you.

Introduction

This guidance is intended to assist officials processing requests for, or where the scope of the request includes, draft reports, documents or correspondence under the Official Information Act 1982 (OIA).

Te Kawa Mataaho has identified the need for such guidance due to differing views on how the OIA should be applied to drafts, particularly between officials and Ministers. It is important that people processing such requests have a clear understanding of their legal obligations under the OIA.

See also the Office of the Ombudsman's [guidance on how the OIA applies to requests for draft documents](#).

Draft documents as official information

Draft documents are official information and may be subject to requests under the OIA. A document cannot be withheld simply because it is in draft form, as draft documents are not exempt from the OIA. Because draft documents are official information and are subject to the OIA like any other information held by an agency, a ground that applies to a final document may also apply to the drafts of that document.

Information contained in a draft document is still official information, even if the information is not, or is no longer, correct. In such a case it may be useful to include a cover note providing the relevant context or a correction when information is released to requesters.

As with all OIA requests, a request for draft documents must be considered in accordance with the purposes of the OIA and the principle that the information shall be made available unless there is good reason for withholding it. The context in which the draft was produced should also be taken into account when considering whether or not one of the withholding grounds applies. For example a withholding ground that was considered to apply may no longer apply once the decision to which the document relates has been made.

The scope of the request

Draft documents may fall within the scope of a request. A request does not have to refer to drafts specifically for draft documents to fall within its scope. Many requests can be reasonably assumed to relate only to the final form of a document (e.g. "The report provided to the Minister on..."). Others will clearly cover drafts (e.g. "all preparatory material produced by the agency in relation to the briefing dated [x]").

03 Pānui tika Proactive release

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Proactive release of information promotes good government, openness and transparency and fosters public trust and confidence in agencies.

Te Kawa Mataaho Public Service Commission has published guidance on proactive release of official information to assist agencies to develop internal policies and practices in relation to proactive release, including responses to requests for information under the Official Information Act 1982 (OIA). We have also developed some practical tips to help agencies put in place the processes needed for publishing completed OIA requests.

[D Proactive release of official information \(PDF, 135 KB\)](#)

[D Official information publishing responses to official information act requests on agency websites \(PDF, 155 KB\)](#)

Our reports on OIA Statistics now include statistics on agencies' proactive publication of responses to official information requests.

→ [OIA statistics](#)

Locations for the publication of proactively released material

We encourage agencies to proactively release responses to OIA requests. Agencies are also required to proactively release Cabinet papers on behalf of their ministers, where the minister has authorised them for publication.

This resource captures the publishing location of both types of information, where agencies use a centralised publication model, that is, all releases of these types are published to, or available via, a single location on their websites.

Note if an agency does not appear in this resource, it does not necessarily mean that agency is not publishing this information. It may publish the information, but in a decentralised way. To see which agencies publish OIA responses, refer to the Official Information Act statistics dataset.

→ [OIA statistics](#)

[D OIA proactive release locations as at July 2023 \(XLSX, 26 KB\)](#)

OFFICIAL INFORMATION PUBLISHING RESPONSES TO OFFICIAL INFORMATION ACT REQUESTS ON AGENCY WEBSITES

STATE SERVICES COMMISSION
Te Komihana O Nga Tari Kawanatanga



The principle of availability underpins the proactive release of responses to OIA requests

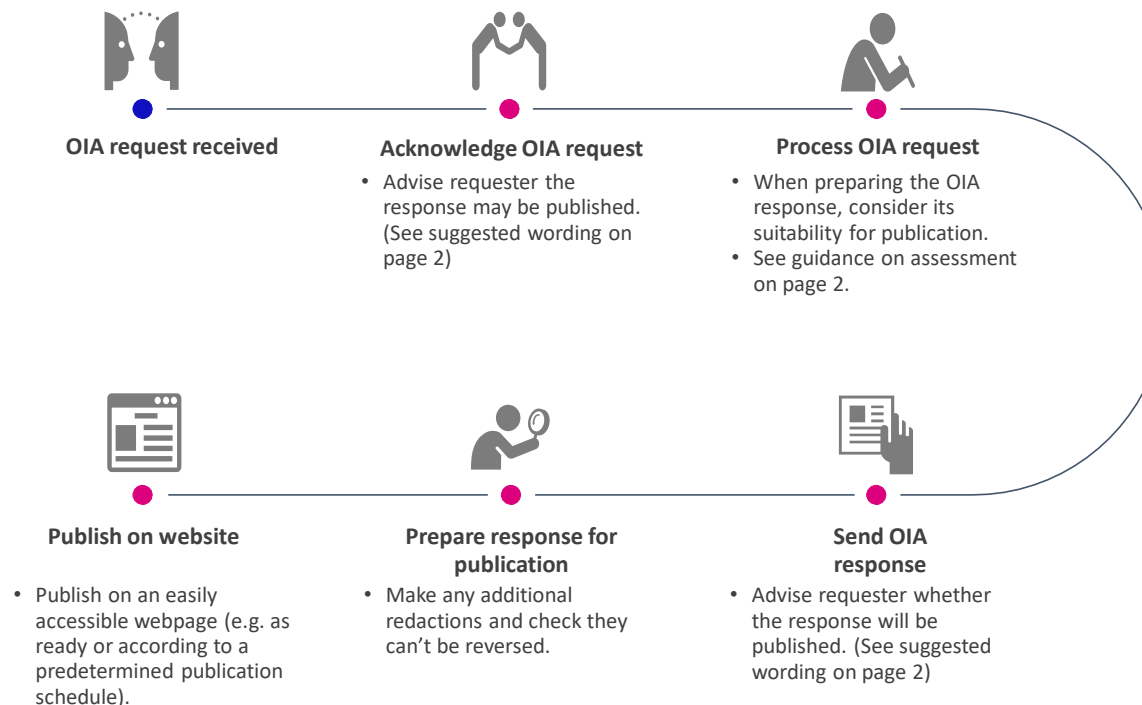
One of the key purposes of the Official Information Act is to make information more freely available, which promotes good government and trust and confidence in the State services. Proactively releasing completed OIA requests that may be of interest to the wider public is easy to do. It helps reduce the need for individuals to make requests for information and it can reduce the work for agencies in responding to requests.

This information sheet is to help you get ready to publish information that has already been released to an individual requester under the OIA. It supports the high level [guidance](#) we issued in 2017.



Did you know the SSC website has information for OIA requesters that your agency website can link directly to?

<http://www.ssc.govt.nz/official-information-act-requests>



Reduce time and effort by preparing for proactive release in the processing of the OIA request

- **If considering proactive release separately from processing the OIA request**
 - Assess the response for any risks of releasing it more widely (see page 2).
 - Good record keeping is important, particularly for any additional redactions as this makes it easier to verify what was done and why in the future. Also remember to update the security classification of any documents and internal records where the classification has changed.
- **Remember**
 - Also consult with agencies on any information that relates to them as they will need to do their own assessment.
 - If a complaint to the Ombudsman has changed the OIA response, update the information that was proactively released.

Assessment:

A response to an OIA request will have already taken into account the withholding grounds in the OIA. However, the protections in section 48 of the OIA do not extend to the proactive publication of information, even if the information has previously been released to a requester under the OIA. Before publishing the same information, the following questions should form part of your assessment process, in addition to any other considerations relevant to the types of information your agency manages:

	KEY QUESTION	WHAT TO CONSIDER
Suitability for publication	Is there likely to be public interest in the information released to the requester?	Consider whether there is wider interest in the topic, and its suitability for publication more generally. Consider whether it is appropriate to charge a requester for the information if it is likely to be proactively released.
Privacy	Is there a privacy interest in the information proposed for release?	Consider whether there is a need to redact information to protect personal privacy and/or whether the information should be released at all. Consult with all individuals/companies named on any documents proposed for release (even if it is not proposed to release their name). Refer to Section 6 and Part 4 of the Privacy Act 1993, the Office of the Privacy Commissioner Codes of practice that become law and other guidance including A quick tour of the privacy principles .
Contractual obligations	Is there a contractual interest in the information proposed for release?	Consider whether there is a need to redact information to protect contractual obligations and/or whether the information should be released at all.
Copyright	Is any of the material proposed for release subject to copyright?	If the material proposed for release is the creative work of others, their trademarks, or certain confidential business information, the owner of the information must give permission before it can be published. New Zealand Government Open Access and Licensing framework (NZGOAL) provides guidance for releasing copyright works and non-copyright material for re-use by others.
Defamation	Does the information proposed for release say or do something that may harm the reputation of another person, group, or organisation?	Ensure that the risks of defamation are understood and that material is thoroughly assessed for this risk when considering information for publication. Seek legal advice.
Other contextual information	Does any other information need to be released with the OIA response to place it in the proper context?	Consider linking the response to other related information already on your agency website, or proactively releasing additional information.

Sample wording for template letters:

Acknowledgement template

Our letter notifying you of our decision on your request will confirm if we intend to publish the letter (with your personal information removed) and any related documents on the [name of agency]'s website.

Consultation correspondence (amend based on whether the response is intended to be published or not)

Please note that we intend to publish our response to this official information request (with the requestor's personal information removed) on the [name of agency]'s website. OR

Please note that we do not intend to publish our response to this official information request.

Response template (amend based on whether the response is intended to be published or not)

Please note that we intend to publish this letter (with your personal information removed) [and enclosed documents] on the [name of agency]'s website. OR

Please note that we do not intend to publish our response to your official information request.

Recording decisions for withholding information:

Recording reasons helps to ensure that all relevant factors have been taken into account, the decision is soundly based, and to enable future verification of what was done and why. It should include:

- ✓ The name and position of the decision-maker.
- ✓ The decision made.
- ✓ The date of the decision.
- ✓ A reference to any legislative authority under which the decision was made.
- ✓ A reference to any relevant legislative, policy or procedural requirements for the decision making process, and the relevant steps taken by the decision maker in that respect.
- ✓ A reference to the evidence considered and the key facts taken into account.
- ✓ An explanation of why the decision was made.

See the Ombudsman's guidance on [Good decision making](#).

02 Raraunga OIA OIA statistics

OIA statistics for the Public Service

Te Kawa Mataaho Public Service Commission publishes OIA statistics covering government agencies that are subject to the Act every six months. Statistics for New Zealand Police and New Zealand Defence Force are shown separately, and are not included in the overall statistics summary.

The statistics cover:

- the number of requests completed by agencies in the six month reporting period
- compliance with legislative timeframes
- the publication of OIA responses
- OIA complaints referred by the Ombudsman to agencies, and those where a deficiency was identified
- how many requests are extended, transferred or refused in full
- the average time to respond.

By centralising the collection and publication of OIA statistics, the Commission aims to improve the consistency and accessibility of information on agencies' compliance with the letter and spirit of the Act.

More detail of what is requested from agencies for the six-monthly collection of OIA statistics can be found in the guidance sent to agencies.

[OIA Statistics - Planning for Jul-Dec 2022 \(PDF, 163 KB\)](#)

[OIA Statistics FAQs Jul-Dec 2022 \(PDF, 105 KB\)](#)

Timeliness & publication | Other statistics | OIA Notes

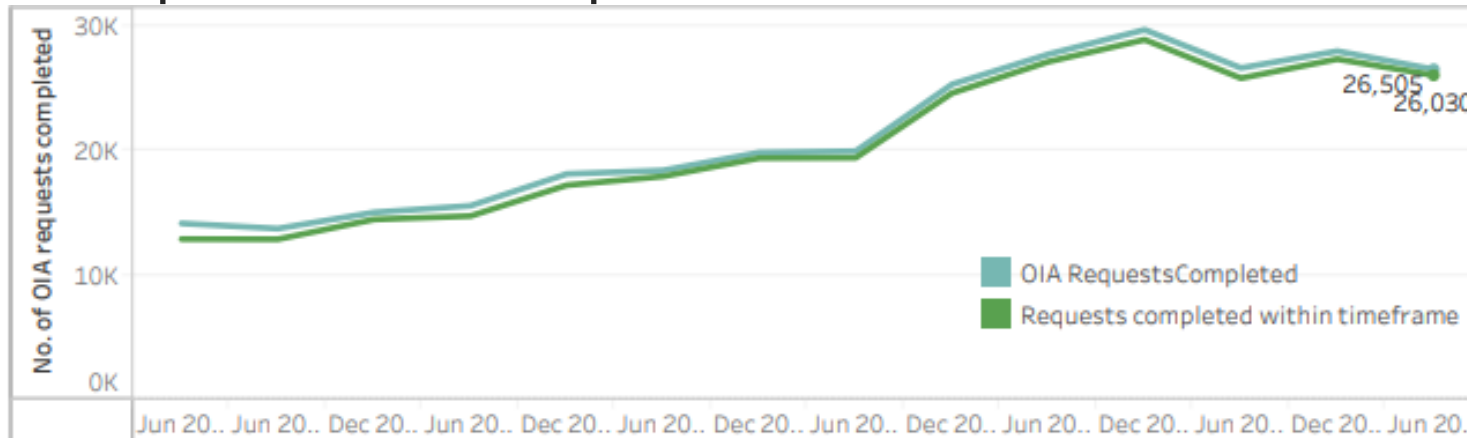
Official Information Act (OIA) statistics by agency - Timeliness and Publication

Agency Type (All) | Collection: June 2023

Agency Type	Agency Preferred Name	Number of OIA requests completed (1)	Number of OIA requests completed within legislated timeframe	Percent of OIA requests completed within legislated timeframe	Number of OIA request responses published on agency website (2)	Number of OIA requests subject to an extension	Percent of OIA requests subject to an extension	Average number of working days to respond	Median number of working days to respond
Public Service	Department of Conservation Te Pahi Atawhai	353	346	98.0%	46	68	19.2%	20.3	20.0
Departments	Department of Corrections	5,202	5,148	99.0%	12	58	1.0%	11.9	12.0
	Department of the Prime Minister and Cabinet	207	203	98.1%	18	9	4.3%	11.9	9.0
	Education Review Office	24	24	100.0%	13	5	20.8%	19.2	18.0
	Government Communications Security Bureau	26	26	100.0%	1	5	19.2%	20.2	20.0
	Inland Revenue - Te Tari Taake	149	147	98.7%	71	4	2.7%	15.0	17.0
	Manatū Taonga Ministry for Culture and Heritage	137	137	100.0%	46	17	12.4%	15.3	15.0
	Manatū Whirihihi Ministry for Women	25	25	100.0%	18	3	12.0%	17.1	17.0
	Ministry for Pacific Peoples	32	32	100.0%	25	0	0	14.5	17.0
	Ministry for Primary Industries	775	745	96.1%	1	124	16.0%	13.3	2.0
	Ministry for the Environment - Manatū MO Te Taiao	160	144	90.0%	34	34	21.3%	14.2	20.0
	Ministry of Business, Innovation and Employment	1,412	1,355	96.0%	0	146	10.3%	15.9	17.0
	Ministry of Defence Manatū Kaitiaki Whirihihi	84	83	98.8%	0	3	3.2%	11.0	8.0
	Ministry of Foreign Affairs and Trade	154	153	99.4%	32	57	37.0%	24.0	15.0
	Ministry of Health - Manatū Hauora	1,111	1,088	97.9%	187	15	1.4%	17.0	11.0
	Ministry of Social Development	753	737	97.9%	243	144	19.1%	15.0	10.0
	New Zealand Customs Service	925	925	100.0%	106	11	1.2%	6.8	5.0
	New Zealand Security Intelligence Service	50	50	100.0%	9	18	36.0%	22.4	20.0
	Oranga Tamariki Ministry for Children	153	113	73.9%	9	22	14.4%	16.5	27.0
	Serious Fraud Office - Te Tari Hara Takare	39	39	100.0%	1	0	0	8.8	6.0
	Stats NZ Te Taunanga Arorangi	81	81	100.0%	71	4	4.9%	14.6	17.0
	Te Kaitiaki Takekōwhiri Public Service Commission	103	103	100.0%	97	6	5.8%	13.0	13.0
	Te Manatū Waka The Ministry of Transport	134	126	94.0%	50	11	8.2%	17.0	18.0
	Te Puni Kōwhiri - Ministry of Māori Development	51	49	96.1%	0	5	9.8%	15.9	18.0
	Te Tāhū o te Ture - Ministry of Justice	443	409	92.3%	69	44	9.9%	15.1	16.0
	Te Tāhū o te Mātauranga Ministry of Education	1,080	1,077	99.7%	170	111	10.3%	8.5	1.0
	Te Tai Otago The Treasury	254	233	91.7%	145	41	15.9%	12.0	8.0
	Te Tari Taiwhirihihi Department of Internal Affairs	400	382	95.5%	138	48	12.0%	18.3	18.0
	Te Tari Ture o te Karanga Kōwhiri Law	65	63	96.9%	9	2	3.1%	13.0	13.0
	Te Tāpae Kura Kōwhiri - Ministry of Housing and U.	99	95	96.0%	64	11	11.1%	16.2	17.0
	Toitū Te Whenua Land Information New Zealand	113	113	100.0%	63	12	10.6%	16.0	17.0

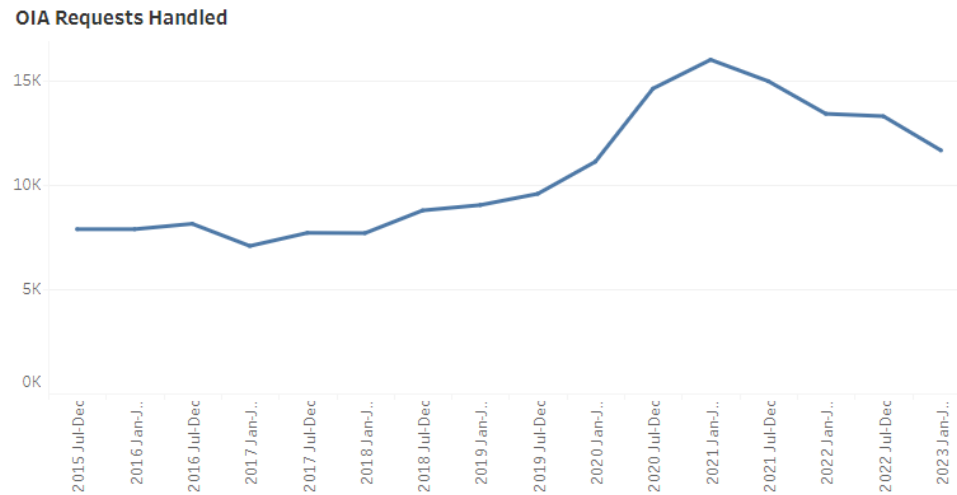
Official Information Act statistics to June 2023

- 99 agencies (101 when Police and NZDF are included)
- 26,505 requests. This is a **5% decrease** in volume on the previous six months.
- **98.2%** of requests were completed on time - first time over 98%.

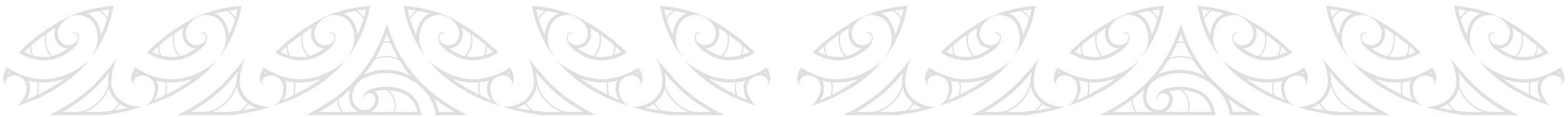
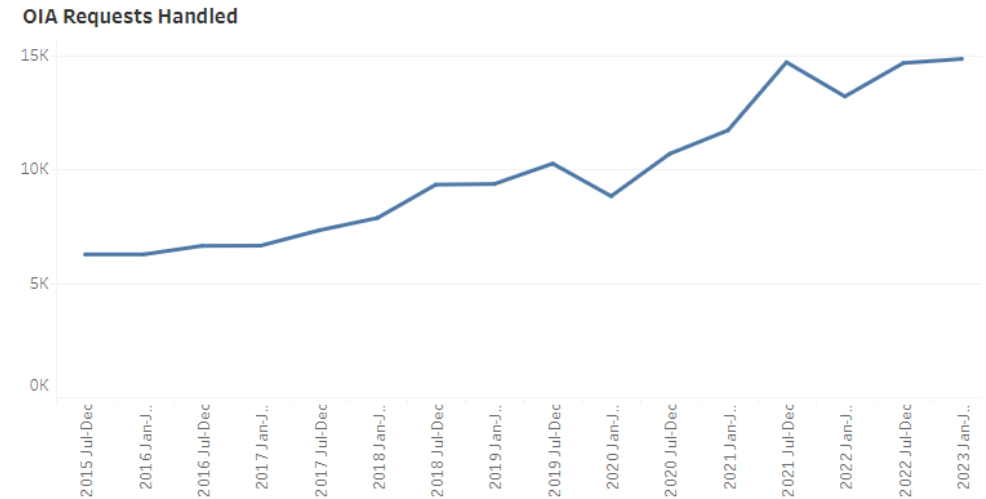


Official Information Act statistics to June 2023

Crown entities

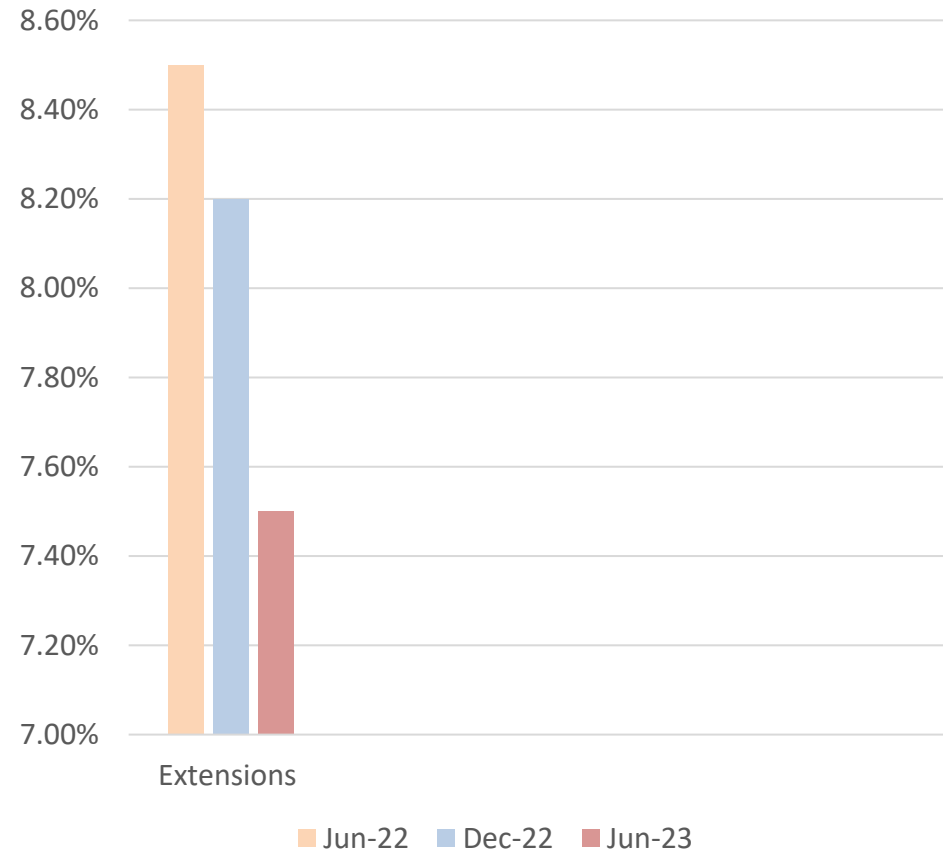


Departments



Extensions

- Extensions: 7.5% of all requests.
- Down 1% from 12 months ago.



04

Kete whakawhanake āheinga Capability development toolkit


The official information capability development toolkit was developed to help agencies review their capability to manage official information and comply with the letter and spirit of the Official Information Act.








It is based on 5 domains of capability which together build and strengthen commitment to the principles of openness and transparency.



Different versions of the tool have been designed to be used in a number of ways and with different audiences.

The choice of which version of the tool to use will depend on the situation and the specific agency's context, including the volume and complexity of OIA requests it receives.

The toolkit contains a number of documents that can be downloaded individually or as a  [zip file \(ZIP, 851 KB\)](#) .

-  [Capability Development Toolkit Agency Guidance \(PDF, 611 KB\)](#) introduces the toolkit and explains how to use it.
-  [High level review \(PDF, 120 KB\)](#) introduces the 5 domains of capability and the lead question for each domain.
-  [Intermediate level review \(DOCX, 30 KB\)](#) summarises the 5 domains and provides more detail on the elements contained within each one. For each domain, an indication of 'what good looks like' is also provided as a starting point for discussion.
-  [In-depth review \(DOCX, 62 KB\)](#) supports a deep-dive review of the 5 domains and includes additional lines of enquiry to consider for each element. It can be used as a worksheet for capturing agency findings during the review, and is available in both  [Word \(DOCX, 62 KB\)](#) and  [Excel \(XLSX, 28 KB\)](#) formats.
-  [Summary report card template \(XLSX, 63 KB\)](#) provides a 1-page summary for reporting the findings of the review.

05

Wānanga Parongo Ōkawa Official Information Forum

The Official Information Forum provides an opportunity for agency leaders and practitioners to come together to discuss official information practices, issues and to learn from each other.

The Official Information Forum is open to staff from all public sector agencies subject to the Official Information Act 1982.

Official Information Forum agendas can range from introductory sessions for those new to working with the Act, to the day-to-day implementation of the Act, to driving agency process and practice improvement.

A timetable of Forum events for the year is published below. This will be updated as dates and agendas are confirmed.

- [📄 Official Information Forum 2024 programme \(PDF, 54 KB\)](#)
- [📄 Schedule of Forum events 2023 \(PDF, 153 KB\) \(as at December 2022\)](#)
- [📄 Final Schedule of Forum events 2022 \(PDF, 67 KB\) \(updated December 2022\)](#)
- [📄 Final Schedule of Forum events 2021 \(PDF, 65 KB\) \(updated December 2021\)](#)
- [📄 Final schedule of Forum events 2020 \(PDF, 88 KB\) \(updated December 2020\)](#)

Documents from previous forums

Information is published here after each meeting. We remove information after 5 years — contact us for earlier presentations:

oiaforum@publicservice.govt.nz

25 October 2023 – OI Forum: New OIA Practitioners

- [!\[\]\(48a7667d09d5a06397e047ee4537bb6f_img.jpg\) Official Information Forum New Practitioners October 2023 \(PPTX, 26 MB\)](#)

12 June 2023: OIA Forum: Presentation from Public Service Commission, election guidance and managing OIA processes in different team environments.

- [!\[\]\(750841ae7100dc832cb0a4b3af4492f3_img.jpg\) Presentation Election Guidance and OIA practices in different team environments \(PDF, 650 KB\)](#)

3 May 2023 - New OIA Practitioners

- [!\[\]\(0f48f43ebd21f231a458c96216dbf4d1_img.jpg\) Presentations - New OIA Practitioners \(PDF, 4.6 MB\)](#)

29 March 2023 - OIA Forum: OIA statistics, managing capacity and processes & OIA practices in relation to media requests

- [!\[\]\(4decd7f4d36b8b21e9f05326cc7983ef_img.jpg\) Presentation Jun - Dec 2022 OIA statistics managing capacity and process OIA practices in relation to media requests \(PDF, 449 KB\)](#)

21 November 2022 — OI Forum 21 November 2022: Jan-Jun 2022 OIA statistics, Ready or Not, working at a time of pace, pressure and change

- [!\[\]\(79516a995cff76a1aff85c3662aea2c5_img.jpg\) Presentation: Jan-Jun 2022 OIA statistics, Ready or Not, working at a time of pace, pressure and change \(PDF, 607 KB\)](#)

Here to help

If you need advice or assistance, contact the team on
OIAForum@publicservice.govt.nz

Or check out the online resources:
<http://publicservice.govt.nz/official-information>





Panel Discussion

**Office of the Ombudsman
Ministry of Housing and Urban Development
Ministry of Defence
Ministry of Culture and Heritage**



Pātai?

Final questions?



Ngā mihi nui

Ka kite anō