

Official Information Policy

Implementation Date: February 2021

Next Review Date: February 2022

Approved by: Chief Executive, February 2021

Sponsor: Deputy Chief Executive, People and Capability

Owner: Manager Ministerial Services, Communications and Government Services

Purpose:

- 1 This Official Information Policy describes how the Department of Corrections (Corrections) will ensure it meets the spirit of the Official Information Act 1982 (OIA) and complies with initiatives to increase the availability of official information to the people of New Zealand.

Application:

- 2 This Official Information Policy applies to everyone in Corrections, including permanent, seconded, contracted and temporary employees.

Definitions:

- 3 Official information generally means any information held by Corrections or its employees as per section 2 of the OIA. It includes:
 - Documents, reports, memoranda, letters, texts and emails.
 - Non-written information, such as digital, video or tape recordings.
 - Manuals which set out internal rules, principles, policies or guidelines for decision making.
 - Information which is known to an agency but may not be written down.

Key Principles:

- 4 All decisions regarding Corrections' management of official information requests and proactive releases are guided by principles that are aligned and supported by our values: Rangatira – Leadership; Kaitiaki – Guardianship; Whānau – Relationship; Wairua – Spirituality; Manaaki – Respect.
- 5 In particular, Corrections will:
 - comply with the requirements and observe the spirit of the OIA;
 - demonstrate integrity, honesty and sound judgement in the management of official information requests and proactive releases;
 - exercise due diligence and assess the potential effect of reactively or proactively releasing official information including considerations relevant to the preservation of safety, security and personal privacy;

- support increased proactive release in line with the OIA's purpose of progressively increasing the availability of official information to the people of New Zealand, including the publication of appropriate OIA responses;
- take account of the particular needs of the requestor and release official information in accessible and usable forms wherever possible;
- consult or notify other relevant stakeholders before releasing official information, including the consulting or notifying the relevant Ministerial Office on the reactive or proactive release of pertinent official information in advance on a "no surprises" basis;
- drive a culture of continuous improvement in official information practice that empowers staff to learn, enhance performance, and innovate to best meet the needs of the New Zealand public.

Approach to reactive requests:

- 6 Corrections will adhere to the statutory timeframes for responding to requests.
- 7 In interpreting a request, Corrections will consider the intent of that request and give reasonable assistance to the requestor to help them make requests and ensure their needs are met. .
- 8 Corrections will regularly review and monitor its performance and capability to respond to requests for official information.

Approach to proactive release:

- 9 Proactive release of information promotes good government, openness and transparency and fosters public trust and confidence in agencies. It can also help reduce the administrative burden on individuals to make requests for information, and on agencies in responding to requests.
- 10 Proactive release of official information can be either:
 - The publication of official information which Corrections believes to be of interest to the wider public - for example this could include corporate information such as strategic intentions and Briefings to Incoming Ministers; or
 - The publication of information that Corrections has provided in response to a request under the OIA.
- 11 Before information is proactively released our relevant considerations will include:
 - The guidance set out in the Cabinet Manual and Cabinet Office Circular (18) 4. Only Ministers may approve the proactive release of Cabinet material;
 - The requirements of the Privacy Act 2020;
 - The Protective Security Requirements;
 - any legal risk to Corrections.
- 12 Corrections may choose to make redactions to proactively published official information. These redactions will be identified with the related withholding provisions of the OIA.

Proactive release of information not subject to a request

- 13 Corrections will publish information that informs the public about how we undertake our functions, the role and structure of our agency, and the information we hold.

- 14 We will consider for publication a range of other official information including but not limited to: policies, procedures, manuals and guidelines; strategy, planning and performance information; information about policy development; information about statutory decision making processes; and information about work programmes.

Proactive release of previous OIA responses

- 15 At least once a quarter, Corrections will publish responses to OIA requests that are appropriate for wider publication. When deciding whether to proactively publish a response to an OIA request, relevant considerations include:
- whether there has been more than one request for the information, or on the topic the information covers;
 - whether the information would be of general interest to the public.
- 16 Corrections will advise requesters of official information that our response to them may be published on our website. Before publication, we will remove any personal details that would reveal the identity of the requester.

OIA Reporting:

- 17 Every six months Corrections will provide comprehensive information on the number of OIA requests received, and the number of complaints notified by an Ombudsman, to the Te Kawa Mataaho Public Service Commission. We will also advise how we met the timeliness requirements of the OIA.

Related Departmental Policies and Procedures:

- Official Information Act Guide 2020
- Privacy Policy
- Privacy and Personal Information Guide
- Privacy Breaches and IOMS Access Guidance
- Information Sharing Guide
- Your Record Keeping Responsibilities
- Information Management Recordkeeping Policy
- Redaction Tool Guide
- Managing Web Content
- Code of Conduct

Related Legislation:

- The Official Information Act 1982
- The Privacy Act 2020
- The Ombudsmen Act 1975
- The Public Records Act 2005
- The Public Service Act 2020

Key Accountabilities and Responsibilities

Person/Party	Responsibilities
Chief Executive	<ul style="list-style-type: none"> • Promote a culture of openness and transparency, by championing positive engagement with official information legislation. • Make clear regular statements to staff and stakeholders in support of the principle and purposes of official information legislation, reminding staff of their obligations.
Deputy Chief Executives, National Commissioner and Regional Commissioners	<ul style="list-style-type: none"> • Promote a culture of openness and transparency, by championing positive engagement with official information legislation. • Make clear regular statements to staff and stakeholders in support of the principle and purposes of official information legislation, reminding staff of their obligations.
Managers	<ul style="list-style-type: none"> • Demonstrate clear knowledge and support of OIA requirements, and internal processes for managing OIAs • Ensure staff complete internal training modules on the OIA, and have access to internal guidance and tools • Ensure staff maintain records relevant to OIA requests and releases in line with departmental recordkeeping policy and procedure
All Staff	<ul style="list-style-type: none"> • Comply with the requirements of this policy, and related departmental policies and procedures, when handling official information and managing official information requests and proactive releases
Manager Ministerial Services (Policy Owner)	<ul style="list-style-type: none"> • Ensuring this policy is reviewed by the set review date • Promoting a culture of openness and continuous improvement in OIA practice • The Policy Owner has the overall responsibility for monitoring the policy for effectiveness and compliance.