

Official Information and Proactive Release Policy

| | |
|-------------------------|----------------------------------|
| Policy expert | Information Services Manager |
| Policy owner | Group Manager People and Culture |
| Owner Department | People and Culture |
| Approval date | 1 October 2017 |
| Review date | 1 October 2023 |



Table of Contents

- 1. Introduction3
 - 1.1. Purpose.....3
 - 1.2. Scope.....3
 - 1.3. Definitions3
- 2. Policy Statements4
 - 2.1. Principles.....4
 - 2.2. Approach to Official Information Requests.....4
 - 2.3. Proactive Release of Information4
- 3. Roles & Responsibilities5
- 4. Reporting7
- 5. Related Documents7
- 6. Policy Review Process7
- 7. Signed by the Leadership Team:8

1. Introduction

1.1. Purpose

The purpose of the Official Information and Proactive Release Policy is to describe how the Horowhenua District Council (HDC) will ensure we meet the spirit and the letter of the Local Government Official Information and Meetings Act 1987 and introduce initiatives to increase the availability of official information.

1.2. Scope

This policy applies to everyone in HDC, including seconded, contracted and temporary staff (HDC staff).

1.3. Definitions

The following definitions apply to this document:

| Term | Definition |
|-----------------------------|--|
| Official Information | <ul style="list-style-type: none"> Official information means any information held by HDC. It is not limited to documentary material, and includes material held in any format such as: written documents, reports, memoranda, letters, notes, emails and draft documents; non-written documentary information, such as material stored on or generated by computers, including databases, video or tape recordings; information which is known to HDC, but which has not yet been recorded in writing or otherwise (including knowledge of a particular matter held by an officer, employee or member of HDC in their official capacity); documents and manuals which set out the policies, principles, rules or guidelines for decision making by HDC; the reasons for any decisions that have been made about a person. |
| Personal Information | means any official information held about an identifiable person. |
| LGOIMA Request | Is an Official Information Request or Information Request and means: A request by any person or corporate entity to HDC to make available to that person any specified official information. The request may be made in any form and communicated by any means (including orally) and does not need to refer to the LGOIMA. |
| LGOIMA | Local Government Official Information and Meetings Act 1987, also referred to as "the Act". |

| | |
|--------------------------|---|
| Actioning Officer | The person assigned to research, compile and release the response to an Official Information request. |
| LGOIMA Officer | Means an officer/(s) of Council appointed by the Chief Executive or Executive Sponsor for Official Information to act in that capacity. |
| Proactive Release | Where HDC publishes official information without being asked for it e.g. on the internet. |
| Confidentiality | The protection of sensitive or private information assets from unauthorised disclosure. |

2. Policy Statements

2.1. Principles

- HDC will observe the spirit and comply with the requirements of the LGOIMA and associated best practices.
- In line with the LGOIMA's purpose of progressively increasing the availability of official information, HDC will establish internal policies and practices that support increased proactive release, including the publication of appropriate LGOIMA responses.
- HDC will exercise due diligence before proactively making official information available and assess the potential effect of releasing information including considerations relevant to the preservation of personal privacy and confidential information.
- Releases of information are made on a "no surprises" basis, which means that, as deemed relevant by the Actioning Officer, senior management, staff and elected members should be informed of the release in advance, as appropriate.

2.2. Approach to Official Information Requests

- HDC will adhere to the statutory timeframes for responding to requests and provide practical assistance to the public to help them make requests for official information. In interpreting the request, we will consider the intent of that request and give reasonable assistance to the requestor to ensure their needs are met.
- HDC will regularly review and monitor its performance and capability to respond to requests for official information via Long Term and Annual Plan reporting metrics and by providing updates to Council and the Ombudsman's Office as required.
- HDC will fully cooperate with any Ombudsman early resolution enquiries and investigations into our decisions and action and correct any accepted deficiencies that are identified.
- Decisions will be made pursuant to the intent of the Act, the Office of the Ombudsman's Guidelines and HDC's own internal policies and procedures.

2.3. Proactive Release of Information

Proactive release of information can be either:

- The publication of official information which HDC believes to be of interest to the wider public - for example this could include corporate information such as strategic intentions and briefings to elected members; or
- The publication of information has provided in response to a request under the LGOIMA.
- Proactive release of information promotes good governance, openness and transparency and fosters public trust and confidence in HDC. It can also help reduce the administrative burden on individuals to make requests for information, and on staff in responding to requests.
- Before information is proactively released our relevant considerations will include:
 - The requirements of the Privacy Act 1993.
 - The reasons set out in LGOIMA regarding the conclusive and other reasons for withholding official information.
 - HDC will also consider any legal risk to the HDC. Third parties will also be contacted as required.
 - HDC may choose to make redactions to proactively published information. Where appropriate these redactions will be identified with the related sections of the LGOIMA. If redactions have been made to documents which have been proactively released and it is determined at a later date that more information can be made available, we will revise and update our published responses.
 - **Proactive release of information not subject to a request.** HDC will publish information that informs the public about how we undertake our functions. HDC will consider for publication its corporate information, reports and advice to our elected members and project information.

Proactive release of responses

- HDC will publish responses to LGOIMA requests that are deemed appropriate for wider publication. When deciding whether to proactively publish a response to a request, relevant considerations may 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. This may include information where a request has not previously been received;
 - Whether release of the information to an audience wider than the requester would create any legal risk to HDC.
- HDC will advise requesters of official information that its response to them, and the information we provide, may be published to HDCs website.

3. Roles & Responsibilities

The table below defines the roles and responsibilities of all HDC employees in regards to official information processes:

| Position | Responsibilities |
|---|--|
| Chief Executive | <ul style="list-style-type: none"> • Assign responsibilities for official Information processes • Ensure official information management practice meets statutory requirements. • Appoint an Executive Sponsor for Official Information and LGOIMA Officer. • Approve Official Information for proactive release as required. |
| Group Managers | <ul style="list-style-type: none"> • Foster a culture of LGOIMA compliance, good practice and proactive release in their Groups. • Process requests as required. • Ensure staff are adequately skilled and resourced to process LGOIMA requests • Monitor, review and report on official information requests and associated policies to ensure they meet business needs and support compliance. • Ensure official information responsibilities are identified and assigned in job descriptions, performance plans and service agreements. |
| Executive Sponsor for Official Information | <ul style="list-style-type: none"> • Support and foster a culture that promotes good official information practices. • Provide leadership and guidance for official information procedures at HDC. • Liaise with Group Managers/ business units to ensure that official information processes are integrated into work processes, systems and services. • Develop and maintain the official information policies, procedures, standards and guidelines, and distributing documents so that those who need such documents have copies or can readily locate the documents via Our Space. • Ensure all new employees receive induction and training on official information request processes. • Approve Official Information for proactive release as required. |
| Action Officers | <ul style="list-style-type: none"> • Communicating with the requester regarding process, charging and/or clarification of the request, as required • Managing/undertaking the research, compilation of information, decision making with regards withholding information, redactions, and preparation of the response • Ensuring all aspects of the request have been responded to and relevant information is registered in HDCs EDRMS |
| LGOIMA Officer | <ul style="list-style-type: none"> • Managing the end to end process of LGOIMA requests. • Maintain the LGOIMA Register. |

| | |
|---|--|
| | <ul style="list-style-type: none"> • Assist in fostering a culture that promotes good official information practices and proactive release. • Support enquiries and investigations as required. |
| All HDC employees including Contractors, Consultants and Third Parties (Users) | <ul style="list-style-type: none"> • Responding to requests for official information is every user's responsibility, and it is the user's obligation to understand their specific responsibilities for handling such requests. • Users are required to abide by this Policy and any other policy, process or requirement issued relating to requests for official information. |

4. Reporting

- HDC will provide comprehensive information on the number of LGOIMA requests processed. The LGOIMA Register will be the official repository for recording LGOIMA processing at HDC.
- HDC will distribute releasable official information over the appropriate communications means e.g. HDC web-site. HDC will proactively provide its official information in as many accessible and usable formats as is viable.

5. Related Documents

The following HDC documents below are related to this Policy:

- Information Management Policy
- Protocol for Engagement between Elected Members and Staff
- Privacy Policies
- Information Management Policies and Procedures

Staff are also referred to:

- Local Government Official Information and Meetings Act 1987
- The LGOIMA for local government agencies published by the Office of the Ombudsman

6. Policy Review Process

To provide a consistent approach to the development, approval, implementation and review of Council's operational policy documents, the Operational Policy Framework Policy outlines the process for future reviews, including links to related documents e.g. templates, guidelines and Promapp processes.

[Policy - Operational Policy Framework Policy - 5 August 2019](#)

7. Signed by the Leadership Team:

David Clapperton
Chief Executive



Date: 21/12/2020

Nicki Brady
Deputy Chief Executive



Date: 14/12/2020

Lisa Slade
Group Manager People and Culture



Date: 4/12/2020

Kevin Peel
Group Manager Infrastructure Operations



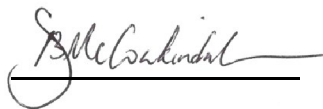
Date: 14/12/2020

Brent Maguire
Group Manager Infrastructure Development



Date: 11/12/2020

David McCorkindale
Group Manager Customer and Strategy



Date: 8/12/2020

