

1 November 2019

Next round of LGOIMA practice investigations underway

Chief Ombudsman Peter Boshier has commenced another round of self-initiated investigations into the official information practices of selected councils.

Each investigation aims to establish whether the council has the leadership, culture, organisational systems, policies and procedures in place to support good official information practices.

The selected councils are Buller District Council and Invercargill City Council, with two more councils expected to be announced shortly.

‘In addition to continuing my practice investigations into how central government agencies fulfil their obligations under the Official Information Act (OIA), this tranche of investigations focuses on the local government sector under the Local Government Official Information and Meetings Act (LGOIMA),’ Mr Boshier says.

‘I have spoken to the chief executives of the two councils, and they both welcome the initiative. The selection process takes into account my strategic priorities. For this year, these include a continued focus on how local government is complying with its official information obligations, the public perception of this, and any complaints and contacts my Office has received.

‘We want to see if councils are making the same progress as central government. Both the LGOIMA and the OIA are lynchpins of openness and accountability in our democracy. They encourage New Zealanders to take part in issues that affect them, and increase the transparency required by officials.’

Mr Boshier says the investigations are integral to his long-term strategy to help raise the quality of official information delivery from the public sector.

‘I have to reinforce that the reports are not exercises in casting blame or being critical for criticism’s sake – they are also not used to rank agencies. Reports are tailored to each agency.

‘The key thing about these reports is that they not only help the agency involved, they also show other agencies what best practice can look like, and thereby help them improve as well.

‘The outcome of the investigations will provide New Zealanders with continued trust and confidence in public sector agencies, and outline the standards to which agencies should aspire in their decision-making processes, transparency and accountability.’

For more information: Mark Torley, Communications Manager 027 275 5733

Surveying the agencies and the public

To assist in the investigations, the Chief Ombudsman will seek input from the councils and their staff. Throughout the course of the investigations, areas of good practice may be identified, and where any areas of weakness are found, suggestions may be made for improvement.

The Chief Ombudsman is also keen to get the public's input into the process, and has set up a survey for those who have recently made a request to access information held by the councils, or who have engaged with them through the LGOIMA processes within the last 6-12 months.

The public survey looks at the councils' processes, and the experience people had with them. They are not designed to reopen individual cases. For any new complaint, the usual process of approaching the Ombudsman remains in place.

The survey will be open until **Friday, 20 December 2019** and can be found by clicking the link below:

[Buller District Council](#)

[Invercargill City Council](#)

Background

The investigations will be conducted under the Ombudsmen Act 1975. Under the Act, an Ombudsman may investigate the administrative acts, decisions, omissions and recommendations of the public sector agencies, and form an independent opinion on whether any aspect of their conduct was wrong, unreasonable or contrary to law.

The LGOIMA sets out the obligations of local authorities in respect of requests for official information, applications for a Land Information Memorandum (LIM), and the administration of local authority meetings. The Chief Ombudsman's investigations will consider all of these functions.

Process

The investigations will take place between November 2019 and June 2020, and the councils will be offered an opportunity to comment on the Chief Ombudsman's provisional opinion. The final opinion will incorporate the councils' comments and feedback.

The councils will be measured against criteria needed to achieve the purposes of the LGOIMA – leadership and culture, organisation structure, staffing and capability, internal policies, procedures and resources, current practices, and performance monitoring and learning.

It is anticipated the outcome of the investigations will be published in mid-2020.