Final opinion of the Chief Ombudsman

Official Information Act compliance and practice in Inland Revenue | Te Tari Taake

June 2026

Official Information Act compliance and practice Inland Revenue | Te Tari Taake
ISBN: 978-1-0671271-6-9 (Digital)
Published August 2026

Office of the Ombudsman | Wellington, New Zealand | www.ombudsman.parliament.nz

Contents

Introduction

In September 2025, we commenced an investigation into Inland Revenue – Te Tari Taake (Inland Revenue) as part of our regular program of proactive investigations into official information compliance and practice. Inland Revenue is one of five agencies selected — we also examined the Civil Aviation Authority, Ministry for Primary Industries, Ministry for the Environment, and the Ministry for Regulation.

This report sets out our observations on how Inland Revenue meets the requirements and purposes of the Official Information Act 1982 (OIA) against our indicators of good practice.[1] Our investigation focussed on the dimensions of leadership, culture, performing monitoring and learning, and the interaction between them.

An agency's culture around transparency, openness, and the strength of its OIA practices flows from the attitudes, messaging, as well as the actions of its senior leaders – particularly those of the Chief Executive. It is our expectation that leaders make clear, regular statements to staff and the public in support of the principle and purposes of official information legislation, as well as the importance of openness more generally.

Accurate performance reporting is also crucial for responding to demands and reprioritising when required. Through regular reporting, senior leaders can oversee the agency's practice and compliance with the OIA, as well as the effectiveness of its structures, resources, capacity and capability. Any issues identified that risk the agency's ability to comply with the OIA should be actively considered, addressed and, in effect, create a feedback loop.

Methodology

As part of this investigation, we gathered evidence through:

- a staff survey
- an agency questionnaire
- interviews with staff involved in different aspects of the OIA process
- a review of a sample of OIA files[2]
- a Chief Executive questionnaire and interview.

These sources are referred to throughout the report.

---

1 See link to *[Chief Ombudsman's OIA and LGOIMA Self-Assessment tools]*.

2 The sample file review was not intended to determine the substantive merits of the specific decisions made on those files, but rather to evaluate the underlying processes and what these indicate about an agency's OIA leadership, culture, and performance.

My opinion

I have not identified any conduct by Inland Revenue that is wrong, unreasonable, or contrary to law under the Ombudsmen Act 1975. As such, there are no formal recommendations. A number of good practices have been identified, as well as some opportunities for Inland Revenue to improve its OIA compliance and practice.

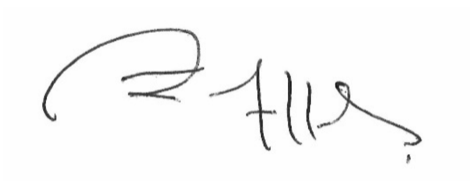
It is encouraging that a number of staff interviewed advised they had, over time, observed a shift toward greater openness at Inland Revenue. Several interviewees also spoke positively about the tone leaders set at the agency.

Investigators heard there is generally a collaborative culture amongst the staff involved in processing requests for official information; a sample of OIA files showed good teamwork. Additionally, it is clear Inland Revenue puts effort into producing quality written replies to requests for official information. Since April 2021, the agency has uploaded a number of these responses every month to its website.

Although this report discusses the Tax Administration Act 1994 and the OIA, we have not formed a view on Inland Revenue's approach to the relationship between the two Acts. As noted in *The Tax Administration Act*, there are ongoing discussions between our office and the agency concerning the interaction between the OIA and the Tax Administration Act. We anticipate any differences in the interpretation of this interaction will be resolved in the context of complaint investigations.

Inland Revenue had the opportunity to comment on the provisional opinion. In response, the agency advised it broadly accepted the action points in the report. Some work is *'already underway'*; Inland Revenue is reviewing its intranet pages and plans to hold an OIA awareness week in September. We encourage the agency to maintain this progress.

We would like to extend thanks to Inland Revenue for the positive and open way it engaged with this investigation. In particular, our thanks to those staff members who took the time to meet with the investigators, completed the staff survey, and liaised with our office throughout the investigation. We greatly value their contribution.



John Allen
Chief Ombudsman

Leadership and culture

We expect Ministers, Chief Executives, senior leaders, and managers to demonstrate a commitment to the agency meeting its obligations under the OIA and to actively foster a culture of openness.

Messaging from senior leaders to staff

Leaders should make clear, regular statements to staff and stakeholders in support of openness, transparency, and the OIA. Inland Revenue advised that senior leaders regularly reinforce the agency's organisational behaviours in communications.[3] One of the behaviours, Mahi Tika, means *'we do the right things, are open and accountable. We do what we say. We are flexible and learn as we go.'*

In response to our October 2025 agency questionnaire, we did not receive documentary evidence of recent communications from senior leaders about Inland Revenue's commitment to the OIA. However, the Ministerial Services team who coordinate requests for information ran an OIA awareness week in 2023 to demonstrate support for the Act.[4] That same year, Inland Revenue celebrated International Right to Know Day.[5] It is positive that the agency plans to hold an OIA awareness week again this year.

In late October – early November 2025, we surveyed staff on their impressions of the signals sent by leadership about the disclosure of information under the OIA.[6] 'Signals' could include specific messaging from leaders about the Act, or actions demonstrating support for the disclosure of information under the OIA.

Around 56 percent of survey respondents indicated that the Chief Executive was strongly or moderately pro-disclosure under the Act. Tier two leaders were rated slightly higher at 67 percent. See below:

3 In response to our October 2025 agency questionnaire.

4 The Ministerial Services team are part of the Governance, Ministerial, and Executive Services area of Inland Revenue. In addition to other tasks, around 10 staff members facilitate OIA processing.

5 International Right to Know Day recognises the importance of citizens' right to access information. For further information, see link International Right to Know Day 2025 on the Office of the Ombudsman website.

6 There were 121 individually verified responses to the Inland Revenue staff survey. Respondents were not required to answer each survey question and the number of responses per question varied.

Staff impressions of the signals sent by leadership about the disclosure of information under the OIA[7]

	Strongly or moderately pro-disclosure under the OIA	Strongly or moderately anti-disclosure under the OIA	They are silent on the issue or 'I don't know'
Chief Executive	56%	0%	44%
Tier two leaders	67%	1%	32%

Across the four other agencies we investigated, the average rating for Chief Executives being strongly or moderately pro-disclosure was 58 percent.[8]

As shown above, a reasonable percentage of survey respondents did not know or thought the Chief Executive and tier two leaders were silent about the disclosure of information under the OIA (44 percent and 32 percent respectively). These results and the agency questionnaire response suggest that there is an opportunity for senior leaders to share more messaging with staff about promoting openness, transparency, and championing positive engagement with the Act.

We encourage leaders to look for opportunities to promote the OIA on a regular, ongoing basis. The Chief Executive may like to include such communications as part of the OIA awareness week referred to above. Making examples of good practice visible is another way to demonstrate support for the Act.

Action point
The Chief Executive and senior leaders should make clear, visible, and regular statements to staff about the importance of the OIA, linking this to the agency's commitment to openness and accountability.

Fostering a culture of openness and transparency within the agency

We surveyed staff about their impressions of Inland Revenue's commitment to a culture of openness (as distinct from messaging about the OIA specifically).[9] Of those who responded, the majority rated the agency as being strongly or moderately pro-openness. See below:

7 97 survey respondents answered this question. Percentages have been rounded to the nearest whole number.

8 The average for all five agencies investigated was 57 percent.

9 See footnote 7.

Staff impressions of the agency's overall commitment to a culture of openness

Strongly or moderately pro-openness	Strongly or moderately anti-openness	It is silent on the issue or 'I don't know'
93%	1%	6%

Several of the staff members we interviewed spoke positively about the tone leaders set at Inland Revenue. One described the executive leadership team as *'open and accessible… they're strong advocates for the OIA'.* Another stated that, from '*senior leaders down*', the agency takes its responsibilities very seriously.

As noted below in *The Tax Administration Act*, Inland Revenue staff must adhere to strict confidentiality obligations, which has likely been a factor in influencing its approach to openness and transparency. However, a number of interviewees advised they had observed a shift toward greater openness over time at Inland Revenue. Numerous factors may have influenced change.

- In March 2019, the Tax Administration Act 1994 was amended and staff's obligation to maintain secrecy of most matters was replaced with a more targeted confidentiality requirement. An interviewee noted that this allows Inland Revenue to disclose more information. See below for further detail on secrecy and the Tax Administration Act.
- One staff interviewee advised that the Corporate Legal team have been influential in *'pushing for more'* information release.
- Another interviewee stated that leaders' support for staff to use new technology and artificial intelligence tools in a safe environment indicates Inland Revenue is less risk averse than it has been previously. See *Use of artificial intelligence*.

It is positive that some staff consider the agency is changing to become more open. However, as discussed below, there remain opportunities for leaders to further address Inland Revenue's culture around the disclosure of information.

The Tax Administration Act

The Tax Administration Act restricts Inland Revenue's ability to disclose certain types of information – revenue information and sensitive revenue information (taxpayer information).[10] These restrictions might mean that information can be withheld under the OIA because its release would be contrary to the Tax Administration Act.[11]

There is more than one way to interpret the relationship between the above two Acts, and we understand Inland Revenue is currently obtaining advice about its approach. Our complaints group and Inland Revenue have been engaged in ongoing discussions about this issue for some

---

[10] See Appendix 1. Terminology in this document for more information about revenue information and sensitive revenue information.

[11] OIA, s 18(c)(i).

time. We consider gaining alignment in this area to be a priority. We urge Inland Revenue to reach a mutually agreed approach with our office to avoid ambiguity and increase public transparency.

In response to our staff survey, respondents noted the impact of the Tax Administration Act on the agency's leadership, culture, and openness more broadly:

> *My [survey] answers need to be taken in light of the restrictions on our ability to disclose information imposed by the TAA [Tax Administration Act] - I think that our people are willing and supportive of disclosing information where we are permitted to do so - but are very conscious of that line and really enforce that we should not be disclosing anything where we are prohibited from doing so. So, maybe I would describe a culture of openness within strict parameters*

> *From my experience there is a strong culture towards transparency… this is balanced with IR's secrecy obligations as these are strongly ingrained also and there is also a need for discretion in how we operate*

> *The Tax Administration Act governs what can be released, but within those constraints, there is an openness to share information and statistical data, with strong processes built around release.*

> *While we are open to the OIA we have to balance that with our secrecy provisions in the Tax Administration Act*

Similarly, several staff interviewees – including senior leaders – described the need to '*balance*' transparency with protecting taxpayer information and ensuring tax compliance. One interviewee noted that it is important for the public to have trust and confidence in Inland Revenue as the *'guardians and protectors'* of taxpayer and revenue information.

Survey respondents, staff interviewees, and a few leaders noted that Inland Revenue has '*tax secrecy*' obligations. As touched on in *Fostering a culture of openness and transparency within the agency* above, Inland Revenue was previously required to maintain secrecy of all matters relating to legislation administered or observed by the agency.[12] The law has since changed; staff must now keep taxpayer information confidential unless they are authorised to disclose it under the Tax Administration Act, and other types of information such as policy material can now be considered for release under the OIA.[13]

We note one anticipated consequence of moving away from the language of 'secrecy' was that '*when Inland Revenue considers a request for information it holds, more emphasis will be given*

[12] Section 81 of the Tax Administration Act 1994 provided that '*[a]n Inland Revenue officer must maintain, and must assist in maintaining, the secrecy of all matters relating to the legislation described in subsection (1C), and the officer must not communicate any such matter, except for the purpose of carrying into effect that legislation or under subsection (1B).'*

[13] See s 18(1) of the Tax Administration Act.

to the principles of the Official Information Act 1982'.[14] An interviewee advised that, around 2019, there were communications about Inland Revenue having more *'flexibility'* to release information. However, *'a lot'* of the messaging was in relation to information sharing agreements with other government agencies.

There is an opportunity for Inland Revenue to ensure all staff are aware of the change to the secrecy rule, why it occurred, and how it impacts on the way the agency responds to requests for official information. We suggest senior leaders do so as part of messaging about the OIA.

In response to our agency questionnaire, the Chief Executive stated that he considers Inland Revenue takes '*quite a conservative approach'* to understanding how the OIA and principle of availability interacts with the Tax Administration Act's confidentiality provisions.[15] It appears there may be a number of different reasons for this attitude.

Staff who knowingly disclose information in the *'wrong way'* face direct, personal consequences. More than one interviewee advised that they can be criminally prosecuted under the Tax Administration Act for doing so. However, it was acknowledged that the bar for prosecution is *'very high'*.

Additionally, Inland Revenue's Code of Conduct makes it clear that taxpayer records must only be accessed by authorised people who have a '*business need'*.[16] An interviewee advised staff can be dismissed for examining such information without a business reason; currently, answering an OIA request is not considered a qualifying one. It is concerning that responding to an OIA request is not a qualifying reason for accessing taxpayer records. In fact, when dealing with a request under the OIA, an agency should access its systems to determine whether the information is held.

Another perceived risk is that the information Inland Revenue releases '*can be shared widely and can have consequences for the integrity of the tax system'*. Many interviewees were concerned about a '*bad actor'* using information to avoid their tax obligations. They said revenue information could be manipulated to gain an advantage or exemption, avoid detection, gather intelligence about the way Inland Revenue operates, evade responsibilities, and commit fraud.

Anecdotally, one interviewee advised there is also a risk that individuals can piece together '*little bits'* of information to circumvent the tax system. Staff with long tenure can recall such attempts being made by people in the past.

We acknowledge there are clearly complexities around the disclosure of taxpayer information and revenue information. It is positive that the Chief Executive would like Inland Revenue to:

> *Give more consideration to what information we can provide in a way that is consistent with upholding our legislative obligations under both Acts, and so we*

---

14 Inland Revenue and The Treasury *Tax Transparency: Background Paper for Session 14 of the Tax Working Group* (July 2018) paragraph 10. It was also noted that Inland Revenue would still retain the ability to withhold certain information under the Tax Administration Act.

15 The Chief Executive responded to our questionnaire in March 2026.

16 Inland Revenue *Our Code Tikanga Whanonga* (2019) at paragraph 7.

don't appear to be hiding behind these confidentiality provisions. For example, providing summarised data or contextual information even if we cannot provide the specific data requested.

We encourage the agency to keep progressing its thinking about how more information can be shared with the public. In particular, where the confidentiality provisions are engaged, we encourage the use of summary and contextual statements to provide other information which will assist requesters. Leaders play a key role in creating the right conditions for staff to raise ideas about how to do so, as well as supporting practice to change.

Additionally, the Chief Executive should carefully consider how Inland Revenue explains the parameters it is operating within when it comes to the disclosure of information – particularly publicly. We reiterate that there are opportunities for leaders to send more signals about their approach to openness under the OIA. It is understandable that staff must be aware of the negative consequences of disclosing specific matters in an unauthorised manner. However, there are also advantages to providing the public information about the tax system – from an education, participation, and accountability perspective.

Action points
Ensure all staff are informed of the change to the secrecy rule to one of confidentiality and how this impacts on responding to requests for information.
Senior leaders should provide internal and external messaging about the importance of balancing Inland Revenue's obligations under both the OIA and the Tax Administration Act.

Taking a collaborative approach to OIA processing

We expect senior leaders to oversee their agency's OIA system, as well as actively consider and address any issues which risk the ability to comply with the Act.

In 2022 and 2024, the operating model for the Ministerial Services team was reviewed. An interviewee explained that, as a result, the team gained two additional staff members and Inland Revenue reaffirmed its OIA processing system. Ministerial Services uses a *'facilitated approach'* where staff *'actively project manage the work to completion'* together with other parts of the organisation.

We heard that there is generally a collaborative culture amongst the staff involved in processing requests for official information; for instance, subject matter experts we interviewed spoke positively about working with the Ministerial Services team. A sample of OIA files we received from Inland Revenue also showed good teamwork between staff. An interviewee advised that weekly Ministerial group meetings provide a good opportunity for staff to keep *'connected'* with one another.

Under Inland Revenue's OIA model, the Ministerial Services team send information requests to relevant business area(s) to locate any information in scope. This model relies on subject matter experts searching through databases, including those the Ministerial Services team cannot access. A few interviewees noted that information is not always provided as soon as reasonably practicable; during busy periods, there can be delays before it is sent back to the team.

Once information has been collated, either the Ministerial Services team or subject matter experts draft the response to OIA requests. Where relevant, the latter also suggest reasons for withholding information. In more difficult cases, such as those involving the application of the Tax Administration Act, solicitors identify areas for redaction.

At the final stages of the OIA process, a senior staff member in the area that holds the information signs out the letter answering the official information request. An interviewee told us that the senior staff member reviews the response and considers any redactions before it is sent out.

The OIA files show that staff working together on information requests recognise when information may be withheld. However, there were no records of public interest considerations being explored and balanced where relevant.[17] Interviewees had mixed views about whether the public interest test was applied – one stated that such factors were discussed, whereas others were unsure.

To build understanding, we suggest leaders support all staff involved in applying withholding grounds under section 9 of the OIA to attend training on the application of the public interest test. A broader understanding of the application of the public interest test could also contribute to Inland Revenue's desire to be more transparent, which the agency recognises as being key to public trust in it and the tax system.

When it comes to answering OIA requests, the Chief Executive advised at interview that '*people want to go the extra mile'*. Although *'not a bad thing*', this approach has resourcing implications and can mean that the agency gets close to '*creating information'*. An interviewee similarly told us that they consider the quality of OIA responses to be *'impeccable*'.

In his response to our questionnaire, the Chief Executive said Inland Revenue manages '*reputational risk by being as transparent as we can and providing clear context and good explanations so that information is understood accurately'*. An interviewee confirmed that providing extra information can help the public understand how to interpret data. Currently, Inland Revenue is thinking about where and how it spends its effort adding context.

We note that, while there can be clear benefits to releasing supplementary information to requesters, doing so may be time consuming and put pressure on staff capacity. Inland Revenue could also bear in mind that decisions on requests should be made and communicated as soon as reasonably practicable.[18]

We encourage Inland Revenue to keep considering whether the current effort spent adding in further supplementary material when responding to requests is appropriately calibrated. Capturing data on the time staff spend providing additional information or context to

[17] Note, a subject matter expert made a reference to the public interest in one of the email records we received from Inland Revenue.

[18] See link OIA, s 15(1).

requesters may help the agency understand whether the effort is proportional to the request being made (see *Collecting, analysing and reporting OIA statistics* section for further information).

Action point
Leaders should support staff involved in applying withholding grounds under section 9 of the OIA to attend training on the application of the public interest test.

Use of artificial intelligence

As signalled in *Fostering a culture of openness and transparency within the agency*, in 2025 Inland Revenue started rolling out generative artificial intelligence tool Microsoft 365 CoPilot (CoPilot) to staff.[19] The Chief Executive explained that Inland Revenue has:

> *…good AI training and guidelines in place and [we] are encouraging our people to use the AI tools we have made available. Our Ministerial Services team are actively using AI tools to help identify information and the people who need to be involved in the requests.*

Staff interviewees advised they may use CoPilot during OIA processing to:

- search for previous official information requests stored on SharePoint
- locate and summarise internal information
- review and suggest changes to draft OIA responses.

The Chief Executive and interviewees were clear about the need for a human in the loop when it comes to using CoPilot. One interviewee said they check any '*rewrites*' CoPilot produces to ensure terminology is consistent with the language used by Inland Revenue. Another described sending a summary created by CoPilot to a subject matter expert so that the latter could confirm its accuracy. We commend Inland Revenue for encouraging staff to safely explore using artificial intelligence tools to increase work efficiency.

The handling of information requests, including the need to weigh withholding information against the public interest in release, inevitably requires human judgement. We note that human review of any relevant decision making, and good record keeping of what has been done, should be incorporated into processes that use artificial intelligence.

In his response to our questionnaire, the Chief Executive stated that the use of artificial intelligence tools could potentially increase the volume and complexity of OIA requests received. However, this is *'not yet particularly evident'* for Inland Revenue.

Use of artificial intelligence is a fast-evolving area affecting the way members of the public ask for information and how agencies respond to OIA requests. Agency staff processing

[19] We note that the agency uses a variety of artificial intelligence tools – see Inland Revenue's various published 2025 responses to OIA requests on its website for a full list.

administratively challenging requests may, as a starting point, find it helpful to refer to our guidance on substantial collation.[20]

Demonstrating a public commitment to openness

Agencies should publicly express their commitment to the principles of openness and transparency; we asked Inland Revenue for examples of senior leaders doing so. In response, the agency provided examples of media releases, its privacy policy, a consultation document, annual report, and its statement of intent. In the *Annual Report 2024 – 25*, Inland Revenue affirms Mahi Tika: *'[o]ne of the ways we work at IR is to act with integrity, which is doing the right things, being open and accountable.'*[21]

The agency also communicates with the public through its Tax Technical, Tax Policy, International, and general website. Inland Revenue advised it has begun to proactively release the titles of advice provided to the Minister, which is a positive development.[22] The agency also informed us that it publishes *'a range of statistics'* online so that members of the public can *'self-serve'* or locate data themselves.

A sample of OIA requests are regularly published online. It is impressive that, since April 2021 to present day, the agency has uploaded responses to requests every month. Te Kawa Mataaho – Public Service Commission data shows that the number of OIA requests published per year has increased over time.[23]

Requesters can find out about how to make a request for official information on Inland Revenue's website. Various webpages set out:[24]

- who can request information
- how to make OIA requests – for instance through an online form, by post, or over the phone
- where to find publicly available information
- what Inland Revenue will do once it receives the request for information
- that the agency is committed to being an open and transparent government agency
- what to do if the requester is not happy with Inland Revenue's response.

---

20 Office of the Ombudsman *Substantial collation or research: A guide to section 18(f) of the OIA and section 17(f) of the LGOIMA* (20 March 2019) at page 15.

21 Inland Revenue *Annual Report 2024 – 25* (20 October 2025) at page 19.

22 For example, see link to Reports to Ministers in 2025 (19 December 2025) and link to Reports to Ministers in 2026 (25 February 2026) on Inland Revenue's Tax Policy website.

23 See link to Raraunga OIA: OIA statistics on the Te Kawa Mataaho Public Service Commission website.

24 See link Puka OIA: Make an official information request (14 August 2020); link About OIA requests (30 June 2021); Ngā tono mōhiohio ōkawa: Official information requests - contact us (8 May 2024); and Ngā whakautu ki ngā tono e pā ana ki te Ture mō te Pārongo Ōkawa: Responses to Official Information Act requests (3 December 2025) on the Inland Revenue website.

One of the webpages notes '*[w]e have a responsibility to protect the integrity of the tax system and refer to it for all IR information disclosure requests.'*[25] However, no further detail is provided about what this means in practice. Following on from our comments in *The Tax Administration Act*, there is an opportunity for the agency to share more with the public about its view on the relationship between the OIA and Tax Administration Act. This could include how its current approach and the parameters Inland Revenue operates within affects official information request processing.

For instance, we suggest Inland Revenue provide a plain language explanation on its website of the types of information subject to confidentiality, and how this might impact processing requests for taxpayer and revenue information. This could help members of the public understand the reasons why part (or the whole of) requests for the above may be declined.

Action point
Review and update one of the OIA webpages, incorporating our suggestions.

Performance monitoring and learning

Agencies need to have an established system for capturing as well as analysing data to inform meaningful and appropriate performance measures. There should be regular reporting to senior leadership, monitoring, and learning from OIA data analysis and practice.

Collecting, analysing, and reporting OIA statistics

Inland Revenue uses an OIA tool to track official information requests handled by the Ministerial Services team. An interviewee advised that the tool is mainly focused on workflow. There are *'timers'* such as a countdown until the date requests are due, as well as a field to add comments.

Although other areas of Inland Revenue may work on official information requests from time to time, these are not all routinely tracked in the OIA tool. The agency advised that there are '*millions of business-as-usual customer interactions every year*'. While '*strictly speaking*' some involve OIA requests, not all of them are formally managed as such.

The Ministerial Services team collect OIA data on a variety of matters, including:

- key dates
- extensions
- response outcome, for example *'Released'*, *'Partially Released'*, *'Refused'*, and *'Transferred'*
- OIA request topic(s)

[25] See link Ngā tono mōhiohio ōkawa: Official information requests - contact us on Inland Revenue's website.

- whether the response to the OIA request was published
- requester details.

We suggest the agency capture additional data to help it understand more about the interaction between the OIA and Tax Administration Act.[26] For instance, Inland Revenue could record the grounds applied for withholding (or not disclosing) information under each Act and monitor trends over time. Collecting and reporting such data to senior leaders may:

- help the agency identify whether multiple requesters are interested in subjects that are not usually shared with the public and proactively release that information on its website
- inform leaders' perspectives on whether the agency has *'drawn the boundaries'* appropriately when it comes to the disclosure of information – see also *The Tax Administration Act*
- identify where information could be summarised or contextual information provided if specific data cannot be provided.

For tracking purposes, it may be useful to collect data on whether any permitted disclosures under the Tax Administration Act also apply to requests for taxpayer information. This would allow the agency to easily identify OIA files where, in the specific instance, staff were authorised to provide information that would ordinarily be kept confidential.

We note Inland Revenue does not currently record the amount of time subject matter experts spend responding to OIA requests. Among other reasons, the Chief Executive advised this activity *'would have a reasonably significant administrative impact'*. As discussed in *Taking a collaborative approach to OIA processing*, some individuals noted that significant time is spent providing supplementary information to accompany particular OIA responses.

Inland Revenue may like to examine whether the OIA tracking tool could be used to record the time staff spend collating additional information when responding to requests (for instance, the tool has an automatic timestamp function). Capturing this data could better ensure proportionality in the provision of supplementary information.

Inland Revenue may also wish to consider how, in the future, data could be collected on the use of artificial intelligence by requesters. We note the Chief Executive's comments in *Use of artificial intelligence* about the potential for such tools to affect the Ministerial Services team's workload.

OIA data is reported both internally and externally. An interviewee advised tier two and a few tier three leaders receive official information timeliness statistics each quarter through the Enterprise Priorities and Performance Committee (EPPC). The agency provided us with a sample of EPPC reports. It appears that updates contain information on measures such as the volume of OIA requests received, percentage completed on time, reasons for any late responses, and average number of days to complete requests for official information.

[26] For more information on the latter Act, see *The Tax Administration Act*.

Additionally, an interviewee noted that Inland Revenue provides a full list of OIA requests each week to the Minister as part of a status report. They advised senior leaders have oversight of each report and can scan the official information requests.

It is positive that, for the first time, Inland Revenue included information request timeliness statistics in the *Annual Report 2024 – 25*.[27] As per the Annual report, the agency provided 99.5 percent of OIA responses handled by the Ministerial Services team within the statutory timeframe over 2024 – 25, which is a commendable result. [28] Inland Revenue also reports OIA statistics every six months to Te Kawa Mataaho – Public Service Commission.

Action point
Collect, analyse, and report further data about on the use of the OIA and Tax Administration Act in line with our suggestions.

Quality measures

The agency has a peer review process for official information requests where more senior members of the Ministerial Services team check draft responses before they are released. The team's guidance *Managing an OIA request* encourages staff to reflect at the end of OIA handling on what they learned – including what went well, and what could have been done differently. Any knowledge gained can also be shared at the Ministerial Services team's stand-up meetings.

We suggest Inland Revenue build on its above processes by considering how, through quality assurance checks, it wishes to evaluate the effectiveness of its OIA handling system as a whole. One way to do so is, at regular intervals, to take a sample of official information requests post-closure and examine factors such as:

- consistency of approach across similar requests
- the reasons for any delays
- how involved the Ministerial Services team has been in processing the OIA request and whether additional support or training may be needed in a particular area of the agency.

The agency could report any findings from the above process to senior leaders.

Action point
Consider conducting quality assurance of a sample of completed OIA requests and reporting outcomes to senior leaders.

[27] See *Annual Report 2024 – 25*, at page 81.

[28] As above.

Appendix 1. Terminology

Revenue information is acquired, obtained, accessed, received, disclosed, or held by the Commissioner of Inland Revenue:[29]

- in connection with a revenue law and for a purpose set out in s 16B(1) of the Tax Administration Act 1994
- under an information-sharing agreement.

Such information may include *'audit or investigative techniques or strategies, compliance information, thresholds, [and] analytical approaches…'*.[30]

Inland Revenue is not required to disclose revenue information if doing so would adversely affect the integrity of the tax system or prejudice the maintenance of the law.[31] Staff who knowingly disclose information in the above circumstances commit an offence against the Tax Administration Act.[32]

Sensitive revenue information:[33]

- identifies or is reasonably capable of being used to identify a person or entity, or
- might reasonably be regarded as private, commercially sensitive, or otherwise confidential, or
- if released, could result in harm, loss, or prejudice to the person or entity the information relates to.

Staff can disclose the above information in certain circumstances; however, it is an offence to do so intentionally without authorisation under the Tax Administration Act.[34]

---

29 See link Tax Administration Act, s 16C(2).

30 see link *Taxation Annual Rates for 2018–19, Modernising Tax Administration, and Remedial Matters) Bill: Commentary on the Bill* page 45.

31 See link Tax Administration Act, s 18(3).

32 See link Tax Administration Act, s 143C(1)(b).

33 See link Tax Administration Act, s 16C(3).

34 See Tax Administration Act, link s 18(2) and link s 143C. Note that some aggregate or statistical data containing information about taxpayers is not considered sensitive revenue information.

Ombudsman
Kaitiaki Mana Tangata

ISBN: 978-1-0671271-6-9 (Digital)