

# Proactive Release Policy



## 1. Purpose

This policy outlines how Westland District Council will continue to promote good governance and encourage transparency in decision-making by increasing the availability of official information to the community.

The purpose of this policy is to prompt the proactive release of LGOIMA responses and topical documents and statistics in whole or in part, which comply with the guidelines below.

### 1.1 Scope

This policy applies to any LGOIMA response and other documents deemed appropriate to release.

### 1.2 Commencement

This policy comes into force on 24 August 2020.

### 1.3 Definitions

- **LGOIMA:** Refers to the Local Government Official Information and Meetings Act 1987.
- **LGOIMA Request:** A request by any person 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.
- **Official Information:** Any information held by Westland District Council subject to LGOIMA.
- **Proactive Release:** Release of official information by Westland District Council that may or may not be subject to a LGOIMA Request.

## 2. Policy

Proactive release of information can be either:

- The publication of official information that Westland District Council deems to be of interest to the wider public; for example, this could include information such as strategic intentions and briefings to elected members; or
- The publication of information that Westland District Council has provided in response to a request under the LGOIMA.

### 2.1 Proactive Release of Information Not Subject to a Request

Westland District Council will publish information that helps inform the public about how Westland District Council undertakes its core functions. The publication of reports and advice to elected members, as well as project information and data analysis, are some examples of what may assist the public in being better informed of Westland District Council's core functions.

### 2.2 Proactive release of LGOIMA responses:

Westland District Council will consider the publication of information that Westland District Council has provided in response to a request under the Local Government Official Information and Meetings Act 1987 (LGOIMA) in accordance with the principles below.

Principles for the Release of LGOIMA Responses

#### **Considerations:**

Before Information is proactively released the following will be considered:

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- (i) Requirements of the Privacy Act 1993 in relation to individuals and other entities.
- (ii) LGOIMA requirements regarding the reasons for withholding official information.

## 2.3 Decision to proactively release information:

Westland District Council reserves the right to determine whether and when to publish information including responses made under the LGOIMA.

## 2.4 Consultation with stakeholders:

Westland District Council will consult with relevant stakeholders as appropriate in advance of publishing of any information. This may include entities such as contractors, other local authorities and organisations or individuals referred to in a LGOIMA response. It may also include Westland District Council staff.

## 2.5 Notification of requestors:

Westland District Council will advise requestors of official information that our response to them and the information Westland District Council provides may be published on our website. Before publication all personal and/or identifiable details will be removed to protect the privacy of the requestor.

## 2.6 Charges:

Where the costs involved in responding to a request for information allow Westland District Council to affix a charge under the LGOIMA, Westland District Council will notify the requestor that payment of the costs incurred does not give the requestor sole rights to the information and the Westland District Council maintains the right to publish the information. Details of these charges can be found in the Fees and Charges section of the Long Term Plan.

Where a charge has been paid the information will not be released onto Westland District Council's website for at least seven (7) days after the release of information to the requestor.

## 3. Publishing

Except as outlined in clause 2.6, the frequency of publishing information which is approved for proactive release under these guidelines is at the discretion of Westland District Council. Such information will be loaded to the WDC website.

## 4. Reporting

All LGOIMA responses deemed appropriate for release on the Westland District Council public website will be reported to Executive Leadership Team each quarter.

## 5. Related Documents and Acts

The following Westland District Council documents relate to this policy:

- Staff Handbook
- Communications Policy
- Privacy Policy

The following Legislation relates to this policy:

- Local Government Official Information Act 1987
- Privacy Act 1993 & Privacy Act 2020
- Official Information Act 1982

*Note: Any legislation referred to should be interpreted as meaning the Act and its amendments*

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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

A review of this policy will take place in August 2023.

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